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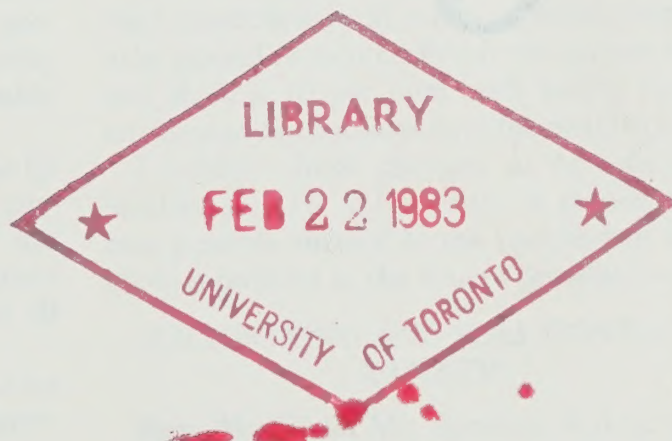


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Official Report (Hansard)



Second Session, Thirty-Second Parliament

Tuesday, February 15, 1983

Afternoon Sitting

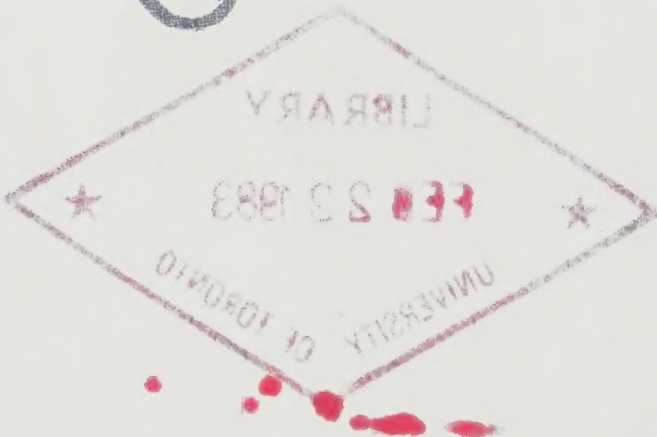
Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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LEGISLATURE OF ONTARIO

Tuesday, February 15, 1983

The House met at 2 p.m.

Prayers.

GOVERNMENT MOTION

Mr. Conway: On a point of order, Mr. Speaker: I just want to invite your comment. I am concerned about government notice of motion 11, and I wanted your direction as to when I could raise my concern. I take it that it more properly comes when government notice of motion 11 is introduced by the Minister of Education (Hon. Miss Stephenson). Is that a proper understanding?

Mr. Speaker: I expect so, yes.

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr. Wrye: On a point of order, Mr. Speaker: My point concerns the work of the standing committee on resources development. During the summer adjournment that committee was set to deal with the review of proposals to reform the Workers' Compensation Act in Ontario and specifically to look at the white paper on workers' compensation reform and the draft legislation, which the government provided about a year and a half ago. With the early recall of the House, the committee was unable to conclude its work.

There was general agreement at that time by representatives in the committee from all parties that the work would resume after the session prorogued. That information was given to injured workers and their organizations all over the province.

It is now apparent that the government does not wish to follow this earlier informal agreement and to complete the work of this important committee after the session prorogues, and I am wondering if, through your good offices, the government House leader could indicate to us what is going on and just how much longer injured workers in the province are going to have to wait before they get the reform they so desperately want.

Mr. Speaker: I would have to suggest to the honourable member that this is a matter before the committee and is a matter the committee itself is going to have to deal with.

STATEMENTS BY THE MINISTRY

GOVERNMENT SERVICES

Hon. Mr. Wiseman: Mr. Speaker, my ministry is undertaking a number of new initiatives in the areas of economy, improved services and increased efficiency which I would like to share with the members of this Legislature.

Starting April 1, all building maintenance, repairs, alterations and minor capital construction decisions will begin to be phased out of Queen's Park and passed on to our 11 district offices across Ontario. This new approach will allow the Ministry of Government Services to provide faster, more direct service to all of our clients.

Minor changes are being made in the boundaries of our offices for a more streamlined distribution of the work load. A new district office will be opened in North Bay to provide improved service to our clients in the north and we will amalgamate four of our smaller offices in southern Ontario into two, resulting in further economies through concentrated effort.

These changes will provide better local contract inspections, will permit a greater emphasis to be placed on job creation in the private sector and show a 10 per cent staff saving through attrition and economies over the next two years.

I believe these changes to be one more positive step by my ministry in providing the best possible service to the people and to our client ministries at the lowest possible cost.

KICKBOXING AND FULL CONTACT KARATE

Hon. Mr. Elgie: Mr. Speaker, it is no secret that the medical profession has expressed great concern that athletes risk brain damage and death while participating in the sport of boxing. A recent American Medical Association Newsletter quotes George D. Lundberg, MD, editor of The Journal of the AMA, as saying:

"No caring person could have observed the events in professional prizefighting in the past few months and not have been revolted. No prudent physician could have watched the most recent debacle-mismatch on November 26 between Larry Holmes and Randall "Tex" Cobb

and believe that the current boxing control system is functioning.”

In Canada in 1980—

Mr. Conway: I think Lennie Rosenberg scored a knockout.

Hon. Mr. Elgie: Well, the member for Renfrew North keeps trying.

Hon. Mr. Davis: He will not succeed.

Hon. Mr. Elgie: I am sorry, Mr. Speaker, I am being interrupted here by the Premier (Mr. Davis).

In Canada, in 1980, this concern resulted in the appointment of a Task Force to Review Boxing in Canada. It is a matter of record that Ontario has been a forerunner in implementing the recommendations of the federal task force. It may be impossible to eliminate death or serious injury in the ring, but I am convinced that my ministry is doing everything in its power to ensure that the risks to boxers who fight in this province are minimized.

However, a relatively new innovation has now appeared on the fight scene, the sport of kickboxing. Again the medical profession has expressed concern. Kickboxing has been referred to as a “more potentially lethal, brutal and dangerous sport than boxing.” An article in the Medical Post of January 25, 1983, states:

“You don’t have to be a skilled anatomist or physiologist to figure out that a swift kick in the ear or the chin is much more dangerous than a hit with a padded glove. The foot will travel further and faster because it is propelled by heavier and stronger muscles.”

At the present time, kickboxing is increasing in popularity in this province and may, in fact, be more active than professional boxing.

On the amateur side, my cabinet colleague the Minister of Tourism and Recreation (Mr. Baetz) also has some concerns. Recently, amateur exhibitions have taken place in this province which have been designated as full contact karate. It must be stressed that the martial arts number among the safest and most disciplined of all sporting activities and the traditional karate competition stresses that no physical contact with the contestant partner is allowed.

In full contact karate, however, contestants are required to wear chest protectors. They do not use safety chops, which are hand pads; or safety kicks, foot pads, and they are required to fight with bare knuckles and bare feet. The reason for not using safety pads on the hand is because no contact is supposed to be allowed by

the hand to the face but full contact is allowed by the foot. Knockouts can thus be scored by kicks. In practice, I am advised that during the heat of competition it is not uncommon to see hand techniques applied to the head.

2:10 p.m.

At the present time, neither kickboxing nor full contact karate falls under the jurisdiction of the Athletics Control Act. A legal opinion from the Ministry of the Attorney General concludes that a professional kickboxing match is a prize fight within section 81 of the Criminal Code and, therefore, subject to prosecution. The ruling would also extend to amateur full-contact karate exhibitions which, although carried out by amateur sportsmen, would still be considered prize fights as the participants do not wear boxing gloves of five ounces or more in weight.

In the light of this opinion, I am announcing on behalf of the Minister of Tourism and Recreation (Mr. Baetz) and myself that no exhibitions of kickboxing or full contact karate will be sanctioned by our ministries at this time, and any such exhibitions that are carried out could be subject to criminal prosecution by the proper authorities. Simultaneously, the Minister of Tourism and Recreation and I are announcing the appointment of a review committee to study and make recommendations on these sports.

The review committee will consist of two eminent physicians, Dr. Alan Hudson, professor and chairman, division of neurosurgery, University of Toronto, and Dr. Michael Schwartz, a neurosurgeon on the staff of Sunnybrook Hospital who has just completed a study on head injuries, and Mr. Kenneth Hayashi, a karate master versed in several styles of the martial arts who holds the rank of sixth degree black belt. If I may, I take the liberty of introducing—I ask them to rise—Dr. Alan Hudson, Dr. Michael Schwartz, and Mr. Kenneth Hayashi, who have agreed to undertake this study.

They will examine all aspects of professional and amateur kickboxing and full contact karate in Ontario: First, to look at injuries and the potential for injuries and to determine whether these sports should be sanctioned at all; second, if it is determined they should be sanctioned, an important component of the committee’s efforts will be to look at safety standards and safety measures, training facilities, medical standards, equipment, financing, rules, regulations and record-keeping. As part of their overall review,

that committee will also examine the effectiveness of the control measures my ministry has imposed upon professional boxing.

Mr. Speaker: I would ask the co-operation of all honourable members in not carrying on private conversations, please.

COMMUNITY FISHERIES PROJECTS

Hon. Mr. Pope: Mr. Speaker, today I would like to bring the House up to date on my ministry's fisheries management programs, especially those involving public consultation and community participation. This is something that is special to me, because I feel it is important to involve Ontario's resource users in resource management. Sports fishermen who spend much of their leisure time fishing should be encouraged to participate in fisheries management. For this reason, I am most pleased with the response to our community fisheries involvement program.

The program was conceived a little more than a year ago when the Bluewater Anglers of Sarnia urged my ministry to increase fish-stocking in their area. In conjunction with the member for Sarnia (Mr. Brandt) I suggested they build the hatchery themselves and they agreed. As a result, my ministry has offered \$30,000 in seed money and the Bluewater Anglers are now raising 10,000 rainbow trout annually as part of a pilot project. Ultimately, the club members themselves will build a trout-rearing station near the village of Point Edward, operate it and stock the fish in Lake Huron in the Sarnia area.

I realized then that we could harness some very valuable help if we invited sports clubs throughout Ontario to take part in fisheries management. We in the ministry agreed to offer our expertise and financial help if groups volunteered time and money to undertake projects of local importance. The result has been most promising. Club members are cleaning up streams, stabilizing stream banks and installing and caring for stream-side incubation boxes. I am sure members can appreciate how important this volunteer work is to my ministry in the current atmosphere of constraint.

I would like to outline a few of the projects under way as part of this program. On Oxenden Creek near Wiarton, the Bruce Peninsula Sportmen's Association put 80,000 rainbow trout eggs into an upwelling box of their own construction last spring and 80 per cent survived the release.

On the Coldwater River, the Barrie District

Hunters and Anglers Club created a fast-water channel for trout spawning beds. On Bearhead Lake in the Terrace Bay district, the Manitouwadge Fish and Game Club is establishing spawning beds to help yellow pickerel populations. On the Sydenham River near Owen Sound, the Sydenham Sportsmen's Association fenced an area to prevent erosion of the river-bank and established a spawning bed for brown trout.

Other projects are about to begin. For example, the North Shore Steelhead Association plans to build and maintain an upwelling box for rainbow trout on the McIntyre River near Thunder Bay. The Bayfield Anglers' Association plans to stock rainbow trout eggs in Elliott's Spring Creek near Wingham.

In addition, community volunteers are helping with the ministry's fisheries initiatives. Residents of Port Hope have worked with my ministry staff over the last eight years to help to turn the Ganaraska River into one of the finest rainbow trout fisheries in the province. The rainbow trout run increased from 500 to 10,000 in that time. It was a true team effort. We installed a fishway in 1974, making prime upstream spawning areas accessible and the residents sandbag the river each spring to assist the trout in moving upstream.

Last spring I realized that we could add another dimension to our community involvement by encouraging clubs to donate equipment or materials to assist existing ministry programs. Within six months, our Ringwood fish culture station near Stouffville had already received more than \$100,000 worth of equipment and materials from private groups. The St. Catharines Fish and Game Association donated \$30,000 worth of equipment and the Toronto Star gave \$80,000 earned through its Great Salmon Hunt to help pay for an expansion of the Ringwood station. I am proud of that kind of participation in assisting the sports fishery in Ontario.

We have also included fisheries as one of five special job creation programs initiated by my ministry in conjunction with the Canada Employment and Immigration Commission. This program has two objectives; one, to provide short-term employment for laid-off workers, allowing them to remain in their communities and two, to participate in valuable resource management rehabilitation projects that we could not otherwise undertake at this time.

The fisheries projects, sponsored by conser-

vation authorities, municipalities, clubs and other organizations have created almost 15,000 weeks of work for a total of 1,200 unemployed Ontario workers. So far, the ministry, through the Board of Industrial Leadership and Development, has invested more than \$3.5 million towards these initiatives. The impact of these projects has been impressive.

I would like to briefly describe to this House the kinds of improvements we have been making to Ontario's fishery, thanks to this special employment program. Project sponsors are supervising workers at stabilizing the stream bank and removing silt from rainbow trout spawning areas on the Maitland River near Wingham; improving access to fishing in several areas near Blind River, Iroquois Falls and Temagami; improving spawning beds and re-introducing yellow pickerel in Remi and Proulx Lakes near Kapuskasing; assessing and removing silt from the lake trout spawning beds at Larder Lake near Kirkland Lake to improve the lake trout fishery; removing sawdust piles from the banks of the Mattagami River in Timmins to improve fish habitat; and improving fish habitat through a number of projects on coldwater streams north of Metropolitan Toronto. These include stabilizing banks, maintaining streambank buffers to protect against encroaching development and fencing to keep livestock away from streams.

Right now, many unemployed workers are involved in creel census recording throughout the province, collecting important data on fish populations, age, sex and distribution, data we need to determine our fisheries management practices for future improvement of our tremendous fishery resource.

I cannot over-emphasize the importance of this special employment program. I urge the honourable members to encourage constituents to become involved in these programs.

My ministry has also created fisheries jobs for 230 workers through the accelerated capital program, announced in the provincial budget last year. My ministry, again through BILD, committed a total of \$2 million toward the creation of these jobs. Among other projects, the workers improved fisheries facilities, renovated hatchery buildings, conducted surveys and cleaned up streams.

I am proud of these co-operative ventures with sportsmen throughout the province. I look forward to more joint projects since they underscore the guiding principle of my ministry—conservation and preservation of our natural

resources, conservation of resources so that future generations of Ontarians can benefit from them and preservation of the quality of these truly remarkable resources.

2:20 p.m.

But these co-operative efforts are not the only things we are doing to enhance Ontario's fishery. I am also pleased to say that my ministry has been able to maintain its fisheries budget this year at about \$24 million even though we are working in an atmosphere of tight constraints.

So with our co-operative ventures we are not only maintaining but expanding our fisheries work, and to do this we are consulting with the province's sports fishermen. In the past, for example, many sports fishermen have urged us to stock brown trout. As a result, ministry staff stocked a total of 71,000 fingerlings in a number of southern Ontario areas last fall. This spring we will stock another 139,000 yearlings.

The trout will be planted in Lake Ontario at the west end and near Kingston, in Summit Lake near Tweed and in the Ganaraska and Sydenham River systems.

We are about to begin collecting wild rainbow trout eggs in Bothwells Creek and the Ganaraska River. The demand for this project has been created by the anticipated completion of isolation facilities at the Normandale fish culture station near Lake Erie that allow us to monitor the health of eggs. This is but one of the many renovations and improvements we will make to the Normandale station. We are adding more wells to improve the water quality and supply, and we are modifying the advanced and early rearing units.

I think what I have said today illustrates two important points: that my ministry is committed to the maintenance and improvement of Ontario's fisheries and that we are listening to those who use the resource.

ORAL QUESTIONS

KILDERKIN INVESTMENTS

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations.

I am tempted to ask him whether the Minister of Education (Miss Stephenson) will come under his new kickboxing review. She has obviously kicked a number of her colleagues on the shins, and some in the head, I suspect, on Bill 127. However, because it is the first important new initiative from his ministry since he became the

minister, I will not ask a question on that subject today.

My question to the minister pertains to Kilderkin and the withdrawal of banking privileges. I am sure the minister is now very much aware that this situation is very acute today. There are 240 regular employees, some of whom are represented in the gallery today, who face the possibility of losing their jobs, or at least of not being paid in the next regular payday after this Thursday. There are hundreds of casual employees whose jobs are at stake, there are over 800 suppliers to Kilderkin and there are approximately 14,000 or so tenants whose status at the moment is very unclear.

We have asked the minister in the past about his suggestions on how this company should continue to bank. As he knows, there is a regular flow of cheques into this company; it is not as if they are not financially viable. But the Bank of Montreal has served notice on them that they are not prepared to let them bank after today.

We have asked the minister about this question many times in this House, and he has had no answer. We have warned him that a crisis is developing for the tenants, the suppliers and the employees of Kilderkin. The minister has washed his hands of it. He has said it is a banking problem; it is not his problem.

Today it is the minister's problem. What is he going to do to keep Kilderkin functioning, to protect those jobs and to protect the tenants in those buildings?

Has the minister spoken to the banks? Has he asked them to let Kilderkin bank or has he used his good offices to speak to the people at the Province of Ontario Savings Office asking them to let them bank, at least on an emergency basis, to keep this company functioning and to keep those people in their jobs?

Hon. Mr. Elgie: Mr. Speaker, I think the first 20 minutes of my answer will be in response to the suggestion about today's initiative with respect to kickboxing—

Mr. Speaker: No.

Hon. Mr. Elgie: Oh, you do not want me to do that, Mr. Speaker? So I cannot take 20 minutes to outline the initiatives, which are many and go back as recently as last week to reforms in the pension law with respect to women and the motor vehicles act. You do not want me to do that, though, so I will not spend 20 minutes going over the initiatives that have been introduced by this ministry in the past year, much as

it tempts me to do so because of the way the honourable member tried to throw that shiv in.

Here I am worried about kickboxing, and he is worried about shivving people. I do not understand it. Are we here to do things right for people?

Interjections.

Hon. Mr. Elgie: I have never said this government did not have serious concerns about the plight of the employees at Kilderkin or about the tenants in those buildings. What I have said very clearly is that we did not initiate or make any recommendations with the banks with respect to their policy. I have also said we were reviewing, through counsel, options that could be utilized in order to enable us to be of some assistance to the Kilderkin enterprise as well as to their employees and tenants, knowing that one cannot act without some substantive reason for doing so.

Mr. Peterson: The minister has done so all along.

Hon. Mr. Elgie: That is not what the member for Windsor-Sandwich (Mr. Wrye) said on the radio the other day. He said he agreed with the government's moving in on January 7. Does the Leader of the Opposition disagree with him now?

Hon. Mr. Walker: Is there a divided opinion?

Hon. Mr. Elgie: Is there some division of opinion? I heard there was no disagreement. I am not saying the Leader of the Opposition agrees with everything, but there was no disagreement on that.

Mr. Wrye: The only division is over there.

Mr. Speaker: Order. Would the minister please address himself to the question?

Hon. Mr. Elgie: It is with some degree of reticence that I refer to certain events today. At 9:30 this morning, a counsel appeared before Justice Parker with an ex parte application for the appointment of a receiver-manager under section 19 of the Judicature Act. Justice Parker requested that the other parties be served and said that he would hear the case at 4:30 this afternoon. The application is on behalf of Greymac Trust and Seaway Trust.

Mr. Peterson: Just so I understand, is the minister saying he asked for an ex parte receivership order today for all of Kilderkin? Is he going to appoint an interim receiver for all of that company and not just that part which pertains to the Cadillac Fairview buildings? Is that what the minister is saying to me, that he is

now going to take over all of that company as opposed to just half of it? Is that what he is saying?

Hon. Mr. Elgie: Is that the Leader of the Opposition's question?

Mr. Peterson: If I understand the minister properly, why did he wait until today when events were conspiring against him, when it was so late in the day to do that kind of thing? Why would he not assure these people beforehand that their jobs would be protected?

Is the minister aware that a number of the utility companies have now asked for a security deposit from Kilderkin for its various buildings because they too are not sure of the financial viability of the company?

Will the minister now make a very clear statement in this House that those jobs will be protected, that all of the tenants in the non-Cadillac Fairview buildings will be protected and will be able to enforce their rights under the law, and that there will be no interruption of services? Will he make that statement in the House today?

Hon. Mr. Elgie: First of all, let me clarify an issue. The Leader of the Opposition seems to misunderstand what happened with respect to the Cadillac Fairview buildings.

The court appointed a receiver-manager to move into Maysfield Property Management with respect to the Cadillac Fairview properties. It did not appoint a receiver-manager with respect to any properties managed by Kilderkin.

Second, may I say very clearly, one of the problems that people have in this world is that it is necessary to obtain the information that is required to justify certain applications to the court. We are all aware of the fact, as I replied last week in the House, that a report from Touche Ross was received with respect to Seaway on Thursday.

That information is being reviewed for a number of purposes, one of them being to determine whether or not there was any way in which the instability that existed in Kilderkin—and I stress it is not instability that this government or the registrar of this government created; we are not the author of any problems they have—

Mr. T. P. Reid: They just allowed it.

Mr. Speaker: Order.

Hon. Mr. Elgie: Under section 19 of the Judicature Act, counsel are making an application to have a receiver-manager appointed in order to stabilize what is now an unstable

situation because of things that are beyond our control. It will be up to the court to determine whether or not a receiver-manager will be appointed.

Mr. Renwick: Mr. Speaker, I am intrigued by the minister's answer—

Interjections.

Mr. Speaker: Order. I cannot hear the question being placed. I would ask all honourable members to please stop their private conversations.

2:30 p.m.

Mr. Renwick: I want to ask the minister what exactly is the extent and nature of the application which is being made to the court today. What is the extent of the business and undertaking which will come under a receiver and manager if he is appointed today on that application?

Hon. Mr. Elgie: Mr. Speaker, I can respond in a very limited way, since it is not appropriate nor do I intend to discuss the case that will be argued this afternoon. It is my understanding that an application under section 19 of the Judicature Act involves the appointment of a receiver-manager to run the business as an ongoing business, and that is what the application is for, in all of its aspects.

I certainly do not intend to argue the case here nor to say with any certainty whether or not the application will be successful. I am simply reporting what is happening today and what the registrar has instituted on behalf of Greymac Trust and Seaway Trust.

Mr. Peterson: The minister has finally moved. He does not know whether it is going to be successful or not. In the event that it is not going to be successful, would he use his good offices to convince the Province of Ontario Savings Office to provide this company with banking services on an interim basis in order to pay the suppliers and employees and keep the company going? Would he make that statement?

Second, would the minister meet with the employees of Kilderkin after question period today? The Premier (Mr. Davis) has refused to meet them. Would the minister meet with them so they can explain to him the plight they personally face at present?

Hon. Mr. Elgie: First, clearly I cannot predict what the future course of events will be. I can only report what applications are before the court as of this afternoon. Nor do I feel it is my position to advise the Minister of Revenue (Mr.

Ashe) what to do with respect to the Province of Ontario Savings Office. He is perfectly capable of answering that question himself.

As to whether or not I agree to meet with the employees of Kilderkin, I have no personal reason not to meet with them. The only reservation I have, and I will think about it, is whether or not the minister responsible in that area, whose registrar on behalf of two trust companies is appearing before the court this afternoon with respect to an application, should be meeting with persons over that same issue. That is a matter I will have to contemplate.

[Later]

Hon. Mr. Elgie: Mr. Speaker, when I was answering a question from the Leader of the Opposition, I answered to the best of the information available to me at that time. I am now advised that while I was answering, the court has appointed an interim receiver of Kilderkin.

MERGER OF HOSPITAL SERVICES

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Health. The minister will be aware that a number of my colleagues read with some concern the article in today's *Globe and Mail* by Geoffrey York with respect to his rationalization, the merger of facilities, in some 10 cities in this province. He will recall that my colleagues led the fight to keep those hospitals open in the past and he will recall also that he was involved. At that time, he stood up and protested the very sophisticated form of regression analysis the then minister, now Treasurer (Mr. F. S. Miller), used in order to attempt to close down some of those hospitals.

He will recall that fight, and how he played hardball with the minister at that time. Ultimately he proved to be right, and ultimately my colleagues proved to be right. In fact the hospitals they are closing down, such as Willett Hospital in Paris, are now going through a major expansion program. The same is happening in Clinton Public Hospital, which my colleague fought for.

I am asking the minister, knowing as he does personally of the deep anguish this kind of newspaper announcement creates in people who are involved in these various communities, will he give us his assurance that before he does anything in this area there will be wide public consultation and he will involve all people affected by these decisions he is attempting to make to save \$20 million, which is about three months' interest on his purchase of Suncor?

Hon. Mr. Grossman: Mr. Speaker, first let me say I was sitting back in the third row in 1976. Of course, I am now up here, unlike a lot of the member's colleagues who are not here any more, including his former leader. In any case—

Mr. T. P. Reid: That is a sign of crumbling government.

Hon. Mr. Grossman: What is that? That is a crumbling nothing. That is a crumbling crumb.

I want to thank the Leader of the Opposition for reminding me of the role his colleagues played during that period. I do not remember it clearly enough to remember that prominent role.

Interjection.

Hon. Mr. Grossman: The Minister of Education (Miss Stephenson) remembers it as clearly as I do.

The member refers to the "announcement" in the morning paper. If he read that article carefully, he would see there is no announcement. There is an analysis by a reporter who did a lot of homework, most of it accurately, indicating that the merger of services between hospitals is what it is all about.

If the Leader of the Opposition believes hospitals that are spending \$3.3 billion should not look at the merger of things such as laundry services, dietary services or laboratory services, in all fairness we could have an excellent dialogue on that. He should stand up and say the Liberal Party is opposed to hospitals looking at opportunities to free up money to provide more extended care beds, for example. If it is the member's position that all hospitals in the system are doing what they should and there is no duplication of services, I would be delighted to hear him say that.

Interjection.

Hon. Mr. Grossman: Just relax. The member for Hamilton Centre (Ms. Copps) will whisper some more to the Leader of the Opposition.

The other part of the question was whether I would undertake consultation. In the case of each city mentioned, there has been extensive consultation. If the member had spoken on the phone this morning with any of the communities mentioned, he would have found out, for example, that the Timmins—

Interjection.

Hon. Mr. Grossman: Peterborough is a good example.

Mr. Nixon: Ask the Speaker.

Hon. Mr. Grossman: You ask the Speaker.

Mr. Speaker: Never mind the interjections. Just address the question please.

Hon. Mr. Grossman: The consultation in Peterborough has gone on for so many years that there is not a resident of Peterborough and area who is not familiar with that whole exercise. In Peterborough, the medical staffs are supportive. From time to time, the boards are supportive. The community understands what it is all about. In Timmins, it is being done under the auspices of the district health council. My colleague has played a major role in trying to bring a new hospital to the Timmins area, and he will get it.

Mr. Foulds: Where is the food terminal?

Hon. Mr. Grossman: It is part of the business-oriented new development program.

Mr. Peterson: I believe the minister has an obligation to table in this House and share with everybody concerned all the facts about these rationalizations or mergers of services, as he calls them. We have yet to see that. We have to read the *Globe and Mail* to find out what he is doing in his ministry. Will the minister confirm or deny that part of the article that says he is going to close down certain active treatment hospitals and convert them into extended care institutions?

Hon. Mr. Grossman: The article does not say I am going to close down any hospitals. If the member will check with his researchers, or indeed do something really unusual and read the article carefully himself, he will find we are pointing out that some communities have reached that conclusion after consultation with us and have voluntarily rationalized services. So as to prevent the member from going out and saying—

Interjection.

Hon. Mr. Grossman: Indeed they should, same as at the Willett.

Mr. R. F. Johnston: Is that part of the minister's leadership campaign?

Mr. Nixon: He is not going to make the third ballot.

Hon. Mr. Grossman: I am not running. Joe is our leader.

Just so the member cannot walk out of here and say we have a secret plan, let me be very clear about this. There is no plan; there is no secret merger strategy. We do not intend to force the closure or change the role of any hospital anywhere in the system from acute care to chronic care. Where hospitals agree on that,

we will, of course, work with them to accomplish that goal.

The member said he had to read the *Globe and Mail* to find out what is happening in the ministry. He does not. He just has to do his homework. Every district health council, every hospital, every community mentioned in that article, without exception, knows about the discussions that have been going on.

2:40 p.m.

Before the member runs out and has his researcher call a hospital and ask, "Hey, did you know about this?" and get someone in the hospital to say, "I didn't know about this," let me make it clear there is not one of those where there has not been extensive discussion or is not more discussion pending.

If he wants to save himself the trauma of buying the bulldog edition of the *Globe and Mail* to find out what is happening in the ministry, he should go out and speak to the district health councils, which he wants to do away with, speak to the administrators in the hospitals and speak to the doctors, whom the members opposite like to bash in here from time to time. They all know about all these plans. To the extent that they support them, we proceed; to the extent that they do not want to go ahead, we do not go ahead.

It is common sense, it is consultative and it is open; it is rational, it is efficient, it is fair and it is right.

Mr. Kerrio: Mr. Speaker, on a point of personal privilege: I think the record should show that the health councils would not speak to our task force. Now what is he talking about?

Mr. Speaker: Order. That is not a matter of privilege.

Mr. McClellan: Mr. Speaker, I am curious to know how a government that is prepared to give \$1 billion to doctors over the course of the next three years can somehow argue that there is wasteful expenditure in our hospital sector, despite the fact that we give it exactly the same share of our gross provincial product now as we did 10 years ago.

Perhaps the minister will be good enough to tell us precisely how many other emergency departments à la St. Joseph's General Hospital in Peterborough and how many other St. Joseph's hospitals across the province and their emergency departments are part of the minister's so-called rationalization study. Just how many small emergency departments is the minister planning to close?

Hon. Mr. Grossman: Mr. Speaker, I know the honourable member was listening a second ago. I said I was not planning to close any. There is no plan to close any.

There are discussions with hospitals with a view to seeing whether they agree there is an opportunity to save some money, to improve health care in their community, to have one large, effective, well-staffed, well-equipped emergency ward, and to use that money elsewhere in their community perhaps to provide more nursing home beds, for example—all the kinds of things we have talked about here on other occasions.

To make it clear, we are looking to improve health care. We are looking to see if one emergency ward as opposed to two will be better equipped, better staffed and better able to serve the public. We are looking, too, to see if some of the money that is freed up during this exercise can be used in that same community to provide more and better health care services. If the member is opposed to any of those things, then I suppose he should say so.

With regard to his preamble, he expressed some concern over \$1 billion going to the medical profession over three years. Just for the record, it is five years; just for the record, it may well not prove to be that much money, and just for the record, the member's leader thinks this arrangement should not be touched under any circumstances; his leader thinks a deal is a deal and the doctors' contract should not be altered.

Ms. Copps: Mr. Speaker, just for the record, is the *Globe and Mail* correct in stating, "No hospitals will be closed, but the second hospital in some towns might be better used as an extended care institution, Health Minister Larry Grossman said in an interview"?

Did he or did he not say that? If he did say it and if it is part of his grand plan, then does he not think that in the last two months in estimates it might have been advisable to share with the Health critics of the Liberal Party and the New Democratic Party some of the schemes and plans he has going across the rest of the province?

Hon. Mr. Grossman: Mr. Speaker, we shared a great deal of information during estimates. In fact, every item that was discussed in estimates was determined not by the government but by the opposition critics, who chose, for example, to spend three days on mental health, a decision I happen to think was the right one; who chose

to discuss the paramedics issue at some length; who chose to discuss underserviced areas at some length. We were happy to discuss anything they wanted to discuss.

Let me make it clear. I said that in some communities the second hospital may well be more appropriately used and better organized in terms of secondary care. Whether that proves to be the case in every community or in any community, very much remains to be seen.

Unlike the member, I believe those decisions are best worked out at the local level by district health councils. I bow to their judgement. I respect their judgement, their opinion and their advice. I think it is incumbent upon us to say to the DHCs, "Look at these options, discuss them with the hospitals, discuss them with the health care providers, discuss them with the citizens and let us know whether you can reach a consensus." I am not the omnipotent dictator from Queen's Park saying, "You shall do this and you shall not do that."

Interjections.

Hon. Mr. Grossman: The fans over there of Marc Lalonde and Allan MacEachen would not understand that. I understand it.

Mr. Speaker: Order. I think the minister has answered the question fully.

TESTING OF CRUISE MISSILE

Mr. Rae: Mr. Speaker, my question is for the Premier and it concerns the testing of the cruise missile in Canada. As the Premier will recall, on June 10, 1982, he said the following in this House in a major statement he made on nuclear disarmament: "The continued escalation of nuclear armaments, in my view and I am sure in the view of every single member of this House, constitutes a serious threat to the survival of mankind."

The Premier also said on that day, in answer to some of the catcalls from those opposite, "That is a matter beyond any jurisdictional analysis; it is a matter of personal conscience, personal responsibility and personal intelligence."

In the light of those remarks, would the Premier be prepared to add his voice on behalf of the people of this province to the voices of those thousands of Canadians who are opposed to the testing of the unarmed cruise missiles on Canadian soil?

Hon. Mr. Davis: Mr. Speaker, I recall the words I stated a few months ago and nothing has changed my perspective. It is obviously not a

matter for provincial jurisdiction, although I do not raise that as any answer to the member's question.

I guess what I always find regrettable in these discussions is that while there is the presumption that all of us are anxious to see de-escalation or a lack of buildup in any arms race, there is a lack of that same concern expressed by people in other countries, in one in particular. It is a bit frustrating to stand here and endeavour to answer the question, knowing full well exactly what answer the member would get if he asked the same question of the head of the Soviet Union.

I understand the very sincere convictions held by the honourable member. My problem is we have to be very careful in a free western society, whether it be Canada, the United States or elsewhere, not to be lulled into a feeling of complacency, or not to feel that, because I feel we should be doing less by way of arms buildup, that necessarily has any influence on the people on the other side.

I have seen no demonstrated evidence from my standpoint, and I am no expert, that indicates the point of view the member has—and the point of view I think every member of this House has—is shared by others who are very interested in this discussion.

If he is going to try to get me in the position of saying we should not have any treaty with the United States, we should not be pulling our weight in the North Atlantic Treaty Organization and we should not be concerned about the defence of the free world, he is not going to succeed, because I happen to think we must meet our commitments.

2:50 p.m.

Mr. Rae: I am sure the Premier will appreciate that I was not attempting to get him to say anything he did not want to say. I was attempting to get him to deal with the consequences of what many people in the province, and in this country, view as a very dangerous escalation in the nuclear armaments race. That is what we were attempting to do.

In the same speech, the Premier said: "Similarly it is as courageous to fight for peace and conciliation as it is to respond militarily when other responses are possible. Those honestly working for peace and nuclear sanity have the support of all of us who care deeply about future generations and the responsibility that we as individuals have to them."

How can the Premier square that with the

statements made by the Treasurer (Mr. F. S. Miller) in the last budget, that the increased defence spending in the United States was going to be a boon to the economy of this province because it would add to jobs and employment?

Would the Premier be prepared to start funding the kind of peaceful industrial research in this province that would use the high-technology industries not for the creation of weapons of war, but for peaceful purposes? Does the Premier not recognize that high-technology industries in this province are part of his responsibility and the responsibility of the Minister of Industry and Trade (Mr. Walker)?

Hon. Mr. Davis: For a leader of a provincial party which supports a national party committed to getting out of NATO, the member really has to test my reaction to his question. For a party that has been opposed to the safe use of nuclear power, once again he is really testing my patience.

How can the member stand up in the House and be critical of statements the Treasurer or I have made and urge the peaceful use of these things when his party is opposed to nuclear energy for the generation of electricity? How does he reconcile that with what he said in the last 10 minutes? The reality is he cannot; he knows it and I know it.

The member is not going to get me contradicting what I have said. He has no monopoly, as a party or as an individual, in wishing for a greater feeling of peace throughout the world community. I have to be a realist; I have to understand that the points of view the member expressed are not being expressed by the Soviet Union. The member may have some influence on them; I do not.

[Applause]

Mr. Rae: Mr. Speaker, I was hoping the statement of June 10 was more than empty rhetoric. The Premier has made it clear this afternoon that his speech consisted only of empty words and empty rhetoric. There is no cutting edge at all when it comes to the tough issues.

Interjections.

Mr. Speaker: Order. If we are going to respect the rights of others, we should start respecting each other's rights in this chamber.

Mr. Rae: I would like to ask the Premier whether the words "it is as courageous to fight for peace and conciliation as it is to respond militarily when other responses are possible,"

have any meaning at all? If they have any meaning for him, can he please tell us what steps he is prepared to take as Premier—in concrete, specific, human terms—to see that the causes of peace and the peaceful uses of nuclear technology are advanced in this province?

Hon. Mr. Wells: You guys won't even allow hydro.

Mr. R. F. Johnston: How many more weapons do you want to test?

Mr. Speaker: Order, order.

Hon. Mr. Davis: Mr. Speaker, I—

Mr. Martel: Red bait some more. Bring back your jackboots.

Hon. Mr. Pope: Tell us about nuclear energy.

Mr. Speaker: Just one question at a time.

Hon. Mr. Davis: I will try not to add to what I—

Interjection.

Hon. Mr. Davis: The New Democratic Party members opposite started it. Their leader is not going to stand up and portray himself as being any more interested in peace in the world than I am or anybody on this side of the House; no way.

Interjections.

Mr. Speaker: Order.

Interjections.

Mr. Speaker: Order. I sense they do not really want an answer.

METRO TORONTO BILL

Mr. Rae: Mr. Speaker, my second question is also to the Premier. It has to do with the decision by the government to move a guillotine motion with respect to Bill 127 in the name of the Minister of Education. When the Premier was moving a similar motion on December 8, the government House leader (Mr. Wells) said he felt the majority could bring in a guillotine when the government finds its legislation has been "completely hampered in the House."

Can the Premier explain to us how Bill 127 has been hampered in any way from being brought forward or being debated in this House by either of the opposition parties? How has its progress been hampered in any way by this Legislature?

Hon. Mr. Davis: Mr. Speaker, I realize the leader of the NDP is opposed to bringing this matter to a conclusion. I understand that and respect his right to take that position. But as I—

Mr. Laughren: You recognize some things—

Hon. Mr. Davis: I did not interrupt him when he was asking his question.

Mr. Mackenzie: Don't give us the respect bit.

Hon. Mr. Davis: That is part of your problem.

Hon. Mr. Pope: Tell us about September, October, November, December.

Mr. Speaker: Order.

Hon. Mr. Davis: I really think we are talking about a question of judgement and reason. I have been in this House a little longer than the member for York South and most members here. We have debated many bills over the years at some length. In fairness, in my memory there have been very few bills in this Legislature that have received the amount of consideration that Bill 127 has received.

We are not expecting the leader of the third party to change his mind. If he reads Hansard, if he reads the transcript of the committee hearings, he will not find any new arguments being presented. No new facts have come to light that we are not all aware of. We have agreed to disagree on this legislation. We think it is important in terms of our responsibilities as a government to see this brought to a conclusion. We have all today, this evening, tomorrow afternoon, Thursday and Friday, and we have already had some 87 hours of discussion related to this bill—

3 p.m.

Hon. Miss Stephenson: Ninety-six.

Hon. Mr. Davis: Ninety-six. The minister corrects me.

As a man of reason, I ask if that is not a sufficient length of time for this important issue. We can argue it for days, but, in essence, that is what it is all about. We are not anxious to limit discussion that would be new or different.

Let us face it, we have discussed this at great length. We are not being unreasonable. I am sure in the member's own heart of hearts he is aware of that. I know he has to take this position, but he should please not tell me that 90-odd hours, plus the balance of today, tomorrow, Thursday and Friday, will be insufficient.

Mr. Rae: It is clear that closure has become totally addictive for that government. I am sure the Premier does not want to mislead anyone in the House, unintentionally or otherwise, or anybody listening to these debates. The vast majority of the 96 hours to which he referred were spent in public hearings that were attended by people who were affected by the bill. There

were 12 hours—three days of debate—at committee of the whole House stage.

I am sure the Premier, in his vast knowledge of the history of this place, can think back to occasions when we spent more than three days in this Legislature considering questions of this kind in committee of the whole or after second reading.

Can the Premier say if it is now the intention of the government to introduce closure whenever it feels it is not getting its way, or the debate is not going in the direction it wants, or it is under some pressure from its own back-benchers? In these situations does it plan unilaterally to suspend the standing orders of this Legislature and move in on special motions to introduce closure? Is that going to be the new style of this government? That is what it looks like to us.

Hon. Mr. Davis: I cannot give the exact number of bills we have passed in this session. We are dealing with Bill 127. Whether we started at Bill 1, I do not have the foggiest idea—

Interjection.

Hon. Mr. Davis: Maybe we did not do Bill 1; I do not know. How many bills have we had in that period of time?

The member will recall the discussions in the fall, and I will not go back to some of the observations made by some members opposite. It is totally untrue and totally unfair for the member to suggest that because we felt it was necessary to bring the discussion on this bill and the Inflation Restraint Act to a conclusion—two out of the total session—this is becoming a habit. If he is asking me whether this is an accepted practice, he knows full well it is not.

We know he is going to vote against this bill, that he will continue to vote against it, that he would love to have this debated for the next four to five weeks, adding nothing of substance to the deliberations. Is he really suggesting we are being unreasonable in wishing to bring it to a conclusion? That is our responsibility. It may come as a surprise to him but sometimes, even when it is difficult, the responsibility of government is to govern. That is what we are here to do.

Mr. Bradley: Mr. Speaker, I have a supplementary question to the Premier. Taking into consideration the fact that his government has waited until what it considers to be the end of this session to introduce this bill and has not seen it as—

Hon. Miss Stephenson: It was introduced on May 28 last year.

Mr. Bradley: That member should pay attention. I mean introduce the bill for consideration in this session—

Interjections.

Mr. Speaker: Order.

Mr. Bradley: Taking into account that the bill has not been brought forward for consideration until what the government considers to be the end of this session, we must therefore conclude it did not consider it to be of very great importance in its legislative schedule.

Taking into consideration the fact that we have not seen this bill this session, why would the Premier feel it is necessary to impose closure before the bill was even brought forward for consideration in this specific session?

Hon. Mr. Davis: Mr. Speaker, I do not know what this question really means when the member talks about this specific session. This bill was debated last June. Am I correct in that? That is when it was introduced. There were 10 hours of debate on second reading. It went to committee for some 66 hours. The leader of the New Democratic Party (Mr. Rae) says, I guess, that this was just a friendly discussion but there were 66 hours of consideration of the contents of the bill with the public. How much more time is really required?

Then the member says “the tail-end of this special session.” This is not a special session. We came back here after the Christmas recess. We are dealing with it. The member’s leader has been here day after day for the total amount of the session and—I have kept track—has not asked a single question about Bill 127. The member knows where it is in terms of his priority.

Mr. Martel: I might ask the Premier a supplementary—

Interjections.

Mr. Speaker: Order.

Mr. Martel: Mr. Speaker, since the Premier has a standing order which he could invoke if he wanted to, is it the government’s intention to attempt to rewrite the rules? That is what he is attempting to do today by motion; it is not a standing order. If he wants to revise the rules to bring in time allocation, does he not think he should change the rules rather than just ignore those that exist and simply use his majority to change them? That is what he is doing.

Hon. Mr. Davis: Mr. Speaker, with great respect to the House leader for the New Democratic Party, his question was not really a

question. It was an observation which I think is rather specious. We are not here attempting to rewrite the rules.

Mr. Martel: That is what the Premier is doing.

Hon. Mr. Davis: I did not interrupt the member.

If he is asking me whether some reasonable consideration should be given to an alteration of the existing rules of this House he will get me to concur; I understand the House leaders are having some discussion.

He wants to go on record that he would ask this government to bring this matter to a conclusion—say by Friday—and that we would then use the other rules available to us. At that time he would get up before the cameras and everybody else and say the government is doing exactly the same thing as we are doing in this resolution. The member knows he cannot fool me any longer. I am not that gullible. If we had proceeded in the other way he would be saying exactly the same thing—shouting it to the world. He knows it and I know it.

Mr. Martel: That just shows the Premier's concern with his majority—

Mr. Speaker: Order.

LEAMINGTON POLICE FORCE

Mr. Ruston: Mr. Speaker, I have a question for the Solicitor General. May I have a little quiet, please?

Mr. Speaker: Order.

Mr. Ruston: Is the minister aware that the Leamington police chief has used informants to compile a list of alleged drug users in the secondary schools? Is he aware these informants may have been charged and then have received favourable treatment from the Leamington police? The police chief compiled a list of 67 names of alleged drug users as given to him by informants and made this list available for viewing at a seminar with instruction that the list be returned. Approximately 125 teachers saw the names.

Hon. G. W. Taylor: Yes, Mr. Speaker, I am aware of some of the facts the member for Essex North has expressed to this Legislature. I have also scanned a few of the articles on this subject in the newspapers. I have requested that the local commission provide me with a report on the matter as well as the Ontario Police Commission, who have followed up with the local police commission on the matter.

3:10 p.m.

Mr. Ruston: Mr. Speaker, does the minister not feel, though, that this is a very improper action for a police department to take, since the names on the list are not verifiable? Does the minister not agree with me that the publication of such a list may harm innocent people? Will he report back to us as soon as possible?

I happen to have had five children go through the school system and seven grandchildren on the way, so I am very concerned about the problem in the schools. But I am concerned also about certain rights.

Hon. G. W. Taylor: Mr. Speaker, if the facts are as I have seen them reported in the media and as the honourable member mentions, I too would be concerned. However, there will be a report to me on the matter, and there could undoubtedly be proceedings under certain pieces of legislation. I think it would be wrong for me to comment on it if proceedings were to take place under the Police Act. Disciplinary proceedings could take place if the facts are as stated.

However, other than to say we are looking at it, I would prefer not to comment on the matter at this time.

HAWKER SIDDELEY

Mr. Foulds: Mr. Speaker, I have a question for the Minister of Industry and Trade. Does the minister feel any responsibility to investigate the circumstances in which the Hawker Siddeley Can-Car plant in Thunder Bay has lost the contract for 130 rapid transit cars for Houston's transit authority, even though Hawker Siddeley was the low bidder?

Would the minister be prepared to go to Houston on behalf of the workers and management of this Ontario bid, which would supply between five and seven years' work in Thunder Bay, in order to lobby for our contract and a re-evaluation of the bid?

Hon. Mr. Walker: Mr. Speaker, I am prepared to have our office in Texas immediately contact the Houston office and establish some discussion. There have been some discussions already between the offices of Hawker Siddeley and particularly the purchasing authorities, and I am prepared to attempt to open discussions.

I do not know how far they will go. I recognize a certain preference is occasionally given in some situations, and apparently here the preference has been allocated against Hawker Siddeley. But yes, I am prepared to make some contact. The member for Fort William (Mr.

Hennessy) has spoken to me about this, and I will be in touch with the company as well.

Mr. Foulds: Mr. Speaker, will the minister be in touch with the company directly and personally? Has the office in Texas not already been in touch with the Houston Metropolitan Transit Authority? A councillor in Houston is spearheading a drive to defeat the bond issue that is necessary to raise the money for the more expensive contract. Does the minister not think this is an ideal time for him to intervene directly and personally?

Hon. Mr. Walker: I will make direct contact. I am prepared to do that.

Mr. Speaker, while I am on my feet, if there are no more supplementaries, I do have the answer to a previously asked question, if that is helpful.

Mr. T. P. Reid: Mr. Speaker, is the minister not concerned that what we think of as the free flow of trade in the North American market is being affected by decisions such as the one in this instance? What is he prepared to do in a North American context to assure contracts like this and others that may appear in the near future will not be affected by the considerations that have affected this deal? Is the minister prepared to speak not only to the people in Texas but also to the people in Washington on the basis of what I think he as the minister considers a free trade area in North America?

Hon. Mr. Walker: I am gratified the member thinks I might have some influence in all of the states of the union. I frankly think I can make representations in case-specific situations. I doubt I can influence the entire policy of all the United States or, for that matter, the ministries of the United States.

We have to recognize they have policies as well and are free to make their own decisions; that states and individual cities, in this case, the Houston transit authority is free to make its decision. What I will try to do, wherever possible, is bring to bear some of the considerations that make our bid far more attractive under the circumstances.

Mr. Speaker: The Minister of Industry and Trade has a brief response to a previously asked question.

SPARTON OF CANADA LTD.

Hon. Mr. Walker: This will be brief, Mr. Speaker. The member for London North (Mr. Cunningham) asked me last Friday, February 11, when we could expect some positive impact

on the employment situation at Sparton of Canada Ltd.'s London operation resulting from Sparton's expansion into an operation in Campbellford, Ontario.

At that time, I indicated I would obtain more details. I can now report that I have spoken with the president of Sparton of Canada Ltd., in London. He reported to me that on January 24, only 87 people were employed at the Sparton plant in London, with a further seven on temporary layoff, and a further 68 on indefinite layoff. The seven on temporary layoff have now been recalled.

The best news of all is that because of the Campbellford operation, the indefinite layoff will be, in part, resolved in mid-April. Fifty per cent of those on indefinite layoff—34 people—will be recalled at the London plant. That is specifically because the Sparton operation at Campbellford is the replacement of a Florida operation, a previously imported operation.

A large part of the problem will be resolved in the very near future, if the Sparton information is correct, and I believe it to be. That will mean there will be only 34 people on indefinite layoff. The net effect of the Campbellford operation will result in Sparton of Canada employing 128 at London as compared with the 87 back in January, all of that presumably by the end of April. I think we should be grateful for that, Mr. Speaker.

ASTRA/RE-MOR

Mr. Cunningham: Mr. Speaker, I have a question of the Minister of Consumer and Commercial Relations pertaining to the Re-Mor situation.

Almost two years ago now the Premier promised compensation to the depositors of Re-Mor if negligence was proven on the part of the ministry. The government received a report from the Ombudsman last July which, in part, recommended that the government compensate these people. Given that fact, and the fact that thousands of dollars are being spent on legal fees and many of these people are senior citizens and desperately need the money, is the minister now in a position to say he will pay these people?

Hon. Mr. Elgie: Mr. Speaker, I can only say the Ombudsman has made certain recommendations. Flowing from that, I will be making certain recommendations to the cabinet, I hope very shortly. As soon as cabinet and caucus have considered the matter I will make an

announcement with respect to decisions relating to the Ombudsman's report.

Mr. Cunningham: I know the minister can fully appreciate how constituents in my riding, particularly neighbours of mine who are in their 80s now, are very much in need of their life savings.

As a supplementary, I would ask the minister if he can report to us today in this Legislature how much money has been spent on legal fees by both parties? When is he going to make the Ombudsman's report on this matter public, as I believe he should?

Hon. Mr. Elgie: I have no idea of the amount of money that has been spent on legal actions. The Ombudsman's so-called report that the member refers to was only a preliminary report.

CENTRAL PRECISION LTD. DISPUTE

Mr. Mackenzie: Mr. Speaker, I have a question of the Minister of Labour. Is he involved in the strike between Central Precision and the United Steelworkers of America Local 6624 which started on February 7? Is he also aware that the workers, mostly new Canadians of Portuguese descent, were willing to accept the status quo but the company insisted on substantial concessions?

Hon. Mr. Ramsay: Mr. Speaker, yes I am aware of the circumstances the honourable member has described.

Mr. Mackenzie: Is the minister aware that this company is the same company that hired the infamous Richard Grange and Canadian Driver Pool in a labour dispute in 1972? Is he also aware that on the very first day of the strike, it had Securicor personnel and cars on the scene photographing the Portuguese immigrant workers and so on? Is he willing to take a look at the circumstances of this intimidation?

3:20 p.m.

Hon. Mr. Ramsay: Mr. Speaker, I have had a letter from the representative of the United Steelworkers about that problem, and I held a meeting earlier this morning with one of my senior officials in respect to it. We are looking into it.

LOGGING TRUCK FATALITIES

Mr. Van Horne: Mr. Speaker, I have a question for the Minister of Northern Affairs.

Mr. Bradley: A question on his new hair-do.

Mr. Van Horne: In deference to his advanced years, I will pass on the question about the

hair-do. I would have a lot of nerve talking about that myself.

In the last few years, there have been many fatalities in northern Ontario as a result of logging trucks losing some or all of their loads. In the Kenora-Rainy River area alone, there have been six fatalities in the last six years. Some of these have led to recommendations of coroners' juries which it is to be hoped would reduce such fatalities.

It is my understanding that rather than acting on those recommendations, the ministry has established a committee to review pulpwood trucking practices. Can the minister tell us why neither he nor the Minister of Transportation and Communications (Mr. Snow) has acted upon the recommendations of a 1980 coroner's jury in the Dryden district? Implementation of the recommendations could possibly have prevented the double fatality in mid-January in the Dryden area?

Hon. Mr. Bernier: Mr. Speaker, the honourable member is correct in saying we have established a committee made up of members of industry, labour, the Ministry of Transportation and Communications and the Ministry of Natural Resources to look at this problem. We are particularly concerned with the securing of loads on the large trucks that ply the highways in northern Ontario. That committee has had at least two meetings to date. We are looking at a number of alternatives that could provide the safety the public in northern Ontario demands in pulp and paper hauling.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Peterson moved, seconded by Mr. Riddell, pursuant to standing order 34(a) that the ordinary business of the House be set aside in order to debate a matter of urgent public importance, namely, the rapid increase in the number of farm bankruptcies and foreclosures resulting from poor commodity prices, difficulties in refinancing, continued high interest rates and lower property values, the resulting low returns for most major commodities causing financial difficulties for many Ontario producers, producers who cannot show a positive cash flow for the next season who will therefore have difficulty obtaining credit for next year's planting, the lack of any immediate and long-term financial solutions to these problems on the part of the Ontario government, and the current prices in the Ontario farming community as many

farmers are facing imminent financial ruin and the loss of their livelihood.

Mr. Speaker: I would like to advise all honourable members that the notice of motion does comply with the standing orders. It was received in time and I would be pleased to listen for up to five minutes as to why the honourable member believes the ordinary business of the House should be set aside.

Mr. Peterson: Mr. Speaker, we chose today. We could have had this debate yesterday, tomorrow or sometime this week, but in our caucus we feel it is fundamental to have a thorough airing of some of the problems in the agricultural community in this province before the end of a session which is rapidly drawing to a close.

There are many issues that affect all of us. Some of us have academic interests. Some of us have economic interests. All of us have constituency interests. I represent a party which I am proud to say has the strongest agricultural representation in this House.

I have never seen an issue grip our caucus like the plight of the farmers now. That is going to be developing this spring due to a combination of factors. On an almost daily basis, my colleagues come to me and discuss among themselves, the serious personal problems that are resulting at the present time, and we foresee they will continue to develop.

It is a troubling enough situation from the personal point of view of the people now affected. But the long-term repercussions of not addressing the problems immediately will have a profound effect on the Ontario of the future, our economy and the quality of life of the residents of this great province. We believe the situation is of an emergency nature. I am having trouble proving it is more of an emergency today than it was yesterday or will be next week or the week after, but I hope I can persuade members that this problem deserves the attention of the House.

We have a minister who has brought some organizational reforms to his ministry in the last year or so. He used to pride himself that he was the only politician who did not know anything about his portfolio and was prepared to admit it. That always evoked great howls of laughter in his speeches. Now he is asking us not to discount his great agricultural roots because his family has been farming for some 200 years in Frontenac county or wherever. In spite of the promise, the reality is that there has been no change of

substance in the last year or so. In fact there has been a deterioration in substance.

I recognize the minister is not responsible for commodity pricing or exclusively responsible for interest rates. I recognize there are a number of factors beyond the immediate control of the provincial government. But the remedy for all these factors is immediately within the capability of this government. I do not have to recite the very small percentage of our provincial budget that goes to agriculture. I do not have to recite that it has not changed in the past decade. I do not have to recite that farming is the second most important industry in this province in terms of jobs created. I do not have to recite the great hardship on the concession roads and the counties of this province.

Mr. Speaker, if you were able to come to my caucus and discuss these problems with my colleagues, I am sure you would be persuaded of the urgency and gravity of this problem. It is my responsibility, therefore, to try to persuade you that this deserves our time.

I can quote the bankruptcy figures that are increasing dramatically. They are sterile, and I do not want to go into all those details to prove the gravity of the situation. We read about the penny auctions and the farmers' response to some of these questions, which cries out to the desperation of these people.

These are law-abiding people. They are not normally politicized to this kind of action. It speaks to a serious malaise in the province among our agricultural community. I know the minister is aware of that. What I do not accept is his failure to respond. My colleagues and I want to put forward our ideas in this House, to discuss both short-term and long-term programs. That is very worthy of the time of this House and I would ask for a favourable ruling.

Mr. Swart: Mr. Speaker, on behalf of my party, I rise to support the motion for an emergency debate and urge that it receive unanimous endorsement from the members of this House. There can be no doubt our food producers in this nation, and particularly in this province, are in a state of financial crisis. A state of emergency exists that needs debate and resolution.

The farmers are suffering from a quadruple whammy. First, there is the hangover from high interest rates and the tremendous debt payments farmers have to make at the present time. I think this is obvious, but I would point out in 1977 net farm income was \$670 million.

In 1982 it was about the same, \$672 million,

but while they only had to pay \$201 million in debt payments in 1977, in 1982 they had to pay \$641 million, or an amount almost equal to their total net income.

3:30 p.m.

We know that prices are down dramatically for farmers. For soybeans, they are only two thirds of what they were two years ago. The price for corn is only 60 per cent of what it was two years ago. We know farmers are also having difficulty in selling a lot of their produce and that there has been insufficient government action to deal with the problems facing the farmers.

The farmers' problems are due equally to faulty policies of both Conservatives and Liberals. Certainly, in the matter of interest rates, it was federal government policy that made those interest rates go up and stay high. That was defended by the agriculture critic for the Liberal Party here in this House.

There has been promoted by the farmers, a tri-party stabilization program to which this minister has paid lipservice, but when it comes to asking how much money the government is prepared to put into it, we find it is not really prepared to go along with the kind of money needed. But it is the Liberals in Ottawa, at least at first, who were primarily responsible for not having the tri-party stabilization program for farmers.

There is the inadequacy of the Ontario farm adjustment assistant program. Unlike every other province, Ontario has no long-term farm credit program whatsoever. It is a low share of the Ontario budget that goes to agriculture.

If anything demonstrates the crisis in Ontario, it is not just the number of bankruptcies but, as the minister well knows, the numbers of farmers who are going under for financial reasons. The Ontario Federation of Agriculture indicates these number are at least 10 times as high as direct bankruptcies. In 1982, at least 2,000 farmers went under and 43 per cent of all the bankruptcies and, therefore, all the financial failures of farmers in this nation, have taken place in Ontario, although farmers here represent only 25 per cent of the farm census.

There are many measures which this government could and ought to take, such as credit to young farmers, the broadening of OFAAP, advance payment on the income stabilization program, intervention with banks and perhaps moratorium legislation on foreclosures. Banks should carry their fair share of the burden. Bank profits have gone up dramatically in the last five

years. Even in 1982 the banks did exceedingly well. They should be involved in carrying their fair share of the burden.

This minister should be seeing that they carry their fair share of the burden. All of these things should be discussed. They are measures which ought to be dealt with and incorporated into policy.

There is an emergency, Mr. Speaker. I implore you to permit this debate, because there will be thousands of farmers who will not have money to put their crops in unless some action is taken very quickly.

Government members should not prevent this debate because of Bill 127. Even those who support Bill 127 must realize that compared to the agricultural crisis, that bill is insignificant. This debate should proceed, Mr. Speaker.

Mr. Riddell: Mr. Speaker, on a point of privilege: I waited until the member had finished his comments. Once again, I have to bring to your attention that in his reference to remarks that I made when I debated Bill 179 on high interest rates, the member for Welland-Thorold (Mr. Swart) tripped over the truth. I think you should demand that the member show you where in Hansard it shows that I have advocated high interest rates. I think you should demand that from him.

Interjections.

Mr. Swart: Mr. Speaker, on a point of privilege: I will do exactly that. I will supply the member with a copy of Hansard.

Mr. Riddell: Let him do that.

Mr. Speaker: Order.

Hon. Mr. Timbrell: Mr. Speaker, far be it from me to interrupt this private war that has been going on for a number of months between the members for Huron-Middlesex and Welland-Thorold, but I must say I am more than pleased to see the interest of the Leader of the Opposition (Mr. Peterson) in this subject. I think it is long overdue. Not to be too unkind, but I pointed out to the member on Friday—

Mr. T. P. Reid: He doesn't have to run for the leadership; you do.

Mr. Speaker: Order.

Hon. Mr. Timbrell: That remains to be seen with that crew around him.

Mr. T. P. Reid: He's already the leader.

Hon. Mr. Timbrell: Of a sort. I pointed out that in over a year I have had only one question from the honourable gentleman on agricultural subjects.

Mr. T. P. Reid: Unlike the Tories, we have a good Agriculture minister over here.

Mr. Speaker: Order.

Hon. Mr. Timbrell: Why are you so afraid to hear what I have got to say? You just have got to add more and more drivel.

Mr. Speaker: Order. The member for Rainy River has been exceedingly noisy this afternoon, and I would ask him to try to contain himself if he will.

Hon. Mr. Timbrell: Mr. Speaker, I am glad to see the new interest, and as the member says, it is a subject that should concern all members of this House, whether they represent an agricultural constituency or a constituency that contains a great many people who work in the agribusiness sector.

As he pointed out—and it looks as if somebody has been getting some figures for him from some of my speeches—one job in five in this province does relate to agriculture, which is in fact the second-largest sector in the provincial economy, second only to the automotive sector. I am glad to know that somebody is reading speeches over there.

I might also say that while the Leader of the Opposition has shown very little interest in agricultural matters in the last year—he did not attend even one day of my estimates in the fall, and we had 22 or 23 hours of estimates; he did not attend any of the discussions about farm income, about commodity prices; not once did he attend—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Timbrell: Let me say, too, that as far as some of the personal comments are concerned, I do not intend to start to engage with the members opposite and the federal minister in the kind of diatribe that he and his party apparently like. It seems to me that the problems of agriculture are too great and too important to engage in that sort of thing.

But let me give credit where credit is due: to my official critic for the opposition. I have found the honourable gentleman to be just that: extremely honourable and reliable. I have confided in him on a number of occasions, I have consulted him on a number of occasions and I find that he is at least one individual on that side with whom I can deal on a confidential basis, because we both want to address the problems of farming.

I am not going to go into all the statistics about the Ontario farm adjustment assistance

program except to point out to the member that when I met with the executive of the Ontario Federation of Agriculture last October and we reviewed most of the first year of the farm assistance program, they said, "Sure, there are things we would like to see changed about it, some things added to it; but we think it has been successful." I have heard that from farmers all over Ontario.

I was in Elgin county yesterday and came across a number of farmers who have benefited from the program. They recognize that the program is in fact a success. It is a program that zeros in on individual farmers' circumstances and tries to maximize all the services of the provincial Minister of Agriculture and Food to their benefit. It brings to the table the concerns of the lender and of the borrower and in most cases has resulted in our being able to assist individuals who have come to us.

I suggest that instead of trying to take the time of the House today, the member would spend his time better in going to room 116 in the southwest corner of the building, getting on the phone, calling Mr. Whelan, Mr. Lalonde and Mr. Trudeau, and telling them to get off the pot and work with the provinces on the proposals we have put to them for our stabilization program for all farmers.

Interjections.

Mr. Speaker: Order. The time for debate has expired.

I think this is a very important matter and I have listened very carefully to the arguments put forward by the honourable members. I must confess that when the motion was first submitted, I did have some serious doubts as to whether it did conform or whether it was out of order. We all know it is a matter that has had a lot of discussion and debate in this House since the first motion was put forward, I believe in April 1981, by the member for Huron-Middlesex (Mr. Riddell). It has been discussed many times since then. I may say, while recognizing the seriousness of the problem, it is not a problem that is exclusive to the agricultural community, but affects all sectors of the economy and certainly affects a great many people in the province.

3:40 p.m.

Mr. McKessock: Right, in Peterborough.

Mr. Speaker: Yes, indeed. Having said that, I am persuaded that the motion is in order. While there may be some question as to the emergency part of the motion or of the standing order, I am

going to put the question to the House. The question will simply be: Shall the debate proceed?

4:15 p.m.

The House divided on Mr. Peterson's motion, which was negatived on the following vote:

Ayes

Allen, Boudria, Bradley, Breaugh, Breithaupt, Bryden, Cassidy, Charlton, Conway, Copps, Cunningham, Di Santo, Edighoffer, Elston, Epp, Foulds, Grande, Haggerty, Johnston, R. F., Kerrio, Laughren, Lupusella;

Mackenzie, Martel, McClellan, McGuigan, McKessock, Miller, G. I., Newman, Nixon, Peterson, Philip, Rae, Reed, J. A., Renwick, Riddell, Ruprecht, Ruston, Samis, Sargent, Spensieri, Stokes, Swart, Sweeney, Van Horne, Worton, Wrye.

Nays

Andrewes, Ashe, Baetz, Barlow, Bennett, Bernier, Birch, Brandt, Cousens, Cureatz, Davis, Dean, Drea, Eaton, Elgie, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Harris, Havrot, Henderson, Hennessy, Hodgson, Johnson, J. M., Jones, Kells, Kennedy, Kerr, Kolyn, Lane, Leluk;

MacQuarrie, McCaffrey, McCague, McLean, McMurtry, McNeil, Miller, F. S., Mitchell, Norton, Piché, Pollock, Pope, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Stephenson, B. M., Stevenson, K. R., Taylor, G. W., Taylor, J. A., Timbrell, Treleaven, Villeneuve, Walker, Watson, Welch, Wells, Williams, Wiseman, Yakabuski.

Ayes 47; nays 67.

ORDERS OF THE DAY

THIRD READINGS

The following bills were given third reading on motion:

Bill 146, An Act to amend The City of Thunder Bay Act, 1968-69.

Bill 192, An Act to amend the Regional Municipality of Hamilton-Wentworth Act.

Bill 195, An Act to amend the Municipality of Metropolitan Toronto Act.

4:20 p.m.

CONSIDERATION OF BILL 127

Hon. Miss Stephenson moved, seconded by Hon. Mrs. Birch, government notice of motion 11:

That, notwithstanding any order of the House,

the consideration of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act, by the committee of the whole House, be concluded at 5:45 p.m. on Thursday, February 17, at which time the Chairman will put all questions necessary to dispose of every section of the bill not yet passed, and to report the bill, such questions to be decided without amendment or debate; should a division be called for, the bell to be limited to 10 minutes;

And that, any debate on the question for the adoption of the report be concluded at 10:15 p.m. Thursday, February 17, at which time Mr. Speaker will interrupt the proceedings and put the question for the adoption of the report without amendment or further debate and if a division is called for, the bell to be limited to 10 minutes;

And, further, that the third reading of the bill be at 2 p.m., Friday, February 18, when Mr. Speaker will interrupt the proceedings and put the question without further debate and if a division is called for, the bell to be limited to 10 minutes;

And finally, that in the case of any division in any way relating to any proceeding on this bill prior to the bill being read the third time, the bell be limited to 10 minutes.

Mr. Conway: Mr. Speaker, on a point of order: It is with real and considerable regret that I rise in response to the government notice of motion 11 just put by the member for York Mills.

It is not lost on some of us here that it is the line minister in this case and not the government House leader (Mr. Wells) who is putting the gag motion forward. That is at some considerable variance with the experience on December 8 when the time allocation of that particular day was not put by the line minister, the Treasurer (Mr. F. S. Miller), but by the government House leader, and seconded not by the Provincial Secretary for Social Development (Mrs. Birch), but by the government whip (Mr. Gregory).

My point of order derives from a concern which I believe all honourable members ought to have. This time allocation business is a significant departure from the way we have done business in this Ontario Legislative Assembly.

I have carefully looked at the debate of December 8. I read and reread the speeches made by the member for York South (Mr. Rae), the government House leader, and you, Mr. Speaker, in your consideration of the point of

order. In a succinct way, I want to say that there has to be an appreciation by members of this assembly who are not only concerned about the here and now, but of something about the past that we share as members of this assembly.

I know the Minister of Education is not as insensitive to the greatness of the British parliamentary tradition, which is the past of the Ontario Legislative Assembly, as government notice of motion 11 would have one believe.

This is a very significant departure. Not until December 8, 1982 was the Ontario Legislature forced to consider the time allocation procedure, which the government House leader says is not closure. The procedure has been indicated as being something other than that by a number of government members, particularly the chief government whip.

Mr. Speaker, I want to draw to your attention, as has been drawn to your attention on earlier occasions, that we do not have in our past any kind of experience with the time allocation business, save and except that fateful day, December 8, 1982, when the government House leader brought it forward to deal with what was considered, I think by common consent, a particularly difficult time in the justice committee vis-à-vis Bill 179.

I recall to the attention of members the circumstances of that parliamentary impasse. I spoke on that day about the very difficult situation in which the government found itself and in which we as members of the Liberal opposition found ourselves, with respect to trying to put amendments on the floor of that committee dealing with that particular legislation. I said as well that I understood very keenly the depth of feeling among my friends in the New Democratic Party about their objection to that legislation. Surely they, as members of this assembly who felt very strongly about what was being done, had an obligation, and certainly a right, to take every measure and means possible to register that complaint.

The government House leader in his remarks of December 8 went to some considerable pains to draw to our attention the requirement for the time allocation motion as being primarily that of parliamentary impasse. I do not intend now to recite chapter and verse the speech made on that occasion by the government House leader on why we needed that precedent-setting motion, notice of motion 10, which introduced this parliamentary place to a time allocation procedure that was completely foreign to the way in

which we had conducted ourselves since the beginning of parliamentary practice in Upper Canada and in Ontario.

There was a complete deadlock in a committee that had to be broken. The government House leader in consultation with his colleagues in the cabinet, and presumably within his caucus, decided the only way to break that log jam was by the time allocation procedure, which he advanced on that particular occasion. I want to point out in my remarks with respect to the orderliness of this particular notice of motion 11 that we do not have in this situation the kind of impasse that was at the heart of the government House leader's concern some two months ago.

My friend the Minister of Education (Miss Stephenson) whispers fateful noises across the way, but I think it is fair to say that yes, there has been a very extensive discussion in the general government committee with respect to the provisions of Bill 127. But my colleagues the member for St. Catharines (Mr. Bradley), the member for Parkdale (Mr. Ruprecht) and the member for Wentworth North (Mr. Cunningham) assure me that by far and away the vast majority of that time dealt with the several presentations made by the countless people and groups in this great metropolitan community who feel deeply and passionately about what the government, through the Minister of Education, is endeavouring to do to their educational framework and system.

I do not think it is at all fair and reasonable for anyone opposite the opposition in this place to somehow suggest that when citizens respond to the invitation of this assembly to come forward and offer input about a bill that affects very deeply and immediately the quality of life in the educational community at least, we should consider that somehow untoward and some kind of parliamentary blockage. I want to say—

Mr. Rae: She was just breathing deeply—or heavily.

Hon. Miss Stephenson: I said, “Oh?”

4:30 p.m.

Mr. Conway: I simply want to say I cannot believe my friends in the Conservative Party, reasonable people such as the member for Lakeshore (Mr. Kolyn), the absent member for St. George (Ms. Fish) and the absent Minister of Health (Mr. Grossman), are going to be forced to argue the case that because their constituents, their friends and neighbours in the city of Toronto and in the suburbs came forward to

participate actively and at length in the committee stage of the deliberations on Bill 127, somehow that constitutes a blockage of the parliamentary process.

I would like to believe that my friend the absent member for St. George, my friend the Attorney General (Mr. McMurtry), my friend the member for High Park-Swansea (Mr. Shymko)

Hon. Mr. Wells: On a point of order, Mr. Speaker: I would like to submit that my friend is straying into discussing the motion rather than a point of order, which I assumed he was putting, the point of order being that the motion is not in order.

Interjections.

Hon. Mr. Wells: Comments about what is happening are not relevant.

Interjections.

Mr. Speaker: Order. Has the minister finished? Then the member for Renfrew North has the floor.

Mr. Conway: Thank you very much, Mr. Speaker, I appreciate your intervention.

I indicated my deep and genuine disappointment privately to the government House leader earlier this afternoon. If he would like, I would be prepared to read the speech he made on the point of order on December 8, 1982, and let that stand as a guide to the rest of us as to what constitutes orderliness in these matters. I think he would want to read that speech and be guided by his own past performance before he becomes too anxious about some of the rest of us who are now faced with the iron heel of a majority government which is forcing a bill of great sensitivity and import through this House in what are, apparently, the dying days of this winter session.

I do not intend to be long but I want to say—unless the government House leader ulcerates with that concern—one cannot but come to the conclusion that government notice of motion 11, which I understand was not written until after adjournment last evening, is before us today because very late in the session the government House leader decided on a reasonable date of adjournment to facilitate the first minister's travels to France and other such considerations. Having decided on a date of adjournment, everything was worked back from that date of adjournment, which I understand is thought to be Friday.

Of course, we are all somewhat tired and a bit worn down. I want to simply say members have

to be very concerned about what is happening to the rules of this House. I recommend to honourable members who have an interest in the parliamentary state of this place—and I regret to say I do not think that really is too many, by virtue of some of the past performance here—but I would recommend to members present that they review the debate of December 8 and 9.

There were some excellent interventions by my leader and by the leader of the New Democratic Party. I also recommend the intervention of the member for Riverdale (Mr. Renwick), who I think drew to our attention what we are doing in this kind of change of procedures.

I reiterate, we have been able to do the business of this Legislative Assembly for a long time, through wartime, through great depression and much acrimony, without the time allocation procedure. I must say that nowhere in our parliamentary past, prior to December 8, 1982, nowhere in our standing orders can one find a reference and a cause or an excuse to justify the time allocation motions that have been brought forward in the last two months.

I was just reading the standing orders again. I was rereading Parliamentary Procedure in Ontario, by the present Clerk's father, Alex C. Lewis, to get a flavour of the earlier period, and there is not a trace, not a hint of the kind of time allocation motion or framework we have been introduced to in the past number of weeks.

The government House leader said in the first round back in December that there was no reference in our past, and he agreed there was nothing in our standing orders; but he said that in fact this kind of experience and precedent was to be found in Erskine May, in the British Parliamentary Practice and, of course, in the Parliament of Canada as well.

I was struck this morning by an item in this connection that appeared in one of the Toronto newspapers, the Globe and Mail. I was sharing this with my friend the member for York South (Mr. Rae) just a few moments ago. Members will note in today's Globe and Mail an article that indicates sadly that last week in the Mother of Parliaments the Undersecretary for Wales died, apparently at 9:44 p.m., while giving a speech.

It was interesting because Hansard did not record the death. Why? Apparently one cannot record a death in the palace of Westminster because one could not have an inquest without summoning as participants, members of the royal household. I was thinking when I read this one can imagine, taking the government House

leader's comments of two months ago, that of course it is the British practice, so therefore we can transplant it here.

One can imagine in the most ridiculous extreme someone dying on the floor of this House, for whatever good or questionable cause, and the House or the community not being able to satisfy itself through an inquest because the British parliamentary precedent is such that we might somehow involve or implicate members of the royal household, whoever they might be in this case. I grant it is a very absurd proposition, but I just wanted to point to the government House leader's argument and where it could ultimately, potentially and ridiculously take us.

The minister knows from his long experience in this place the way we have done business, particularly on major issues and major pieces of legislation. I do not think there is a member on either side of this House who would dispute the fact that Bill 127 is a major piece of legislation in which there is great community interest, certainly in Metropolitan Toronto, and about which, yes, there is a deep division of opinion.

Our past practice gives us clear guidance as to what we ought to do in this case. After a long and involved committee hearing, if we have not had the opportunity to participate in that dialogue—and we all have not had the opportunity; I have dropped in on rare occasions, but it is well known that the work is divided up here in such a way that Education critics and others with a particular interest carry the load of that particular reference—what recourse do we have as honourable members interested in these kinds of issues?

Our past practice is very clear. It tells us that when this bill comes back to the committee of the whole House, there is what I might call provision for a moderate debate on the principal issues of the legislation and a review of the major amendments.

In fact, last evening I had the opportunity to sit and listen to such a procedure on a matter of great importance and considerable interest to all members of the House, that is, the new Health Protection and Promotion Act of the Minister of Health. We heard the very procedure I have just enunciated being carried out in orderly fashion.

4:40 p.m.

What is so wrong with that past practice, which I dare say every minister opposite has had relatively frequent and good experience with? What is it about that parliamentary practice which I would argue has served so long and

relatively so well? Why cannot that be applied in this situation, particularly because there is no impasse in that committee?

The minister and the government whip may feel, "Oh, my God, all hell is going to break loose when that bill comes back into this assembly and we ought to anticipate the fracas the opposition within the government caucus and without will initiate at that time." In a largely anticipatory fashion the minister, in consort with those members of the executive council who agree with her on Bill 127, brings forward government notice of motion 11.

There is no impasse. There has not been an impasse in the committee either with the hearings or with the clause by clause debate. There has been a protracted discussion. There is no doubt about that, given the number of witnesses who wanted to come forward and offer their testimony and input. I cannot believe the Minister of Education honestly believes, and would want to leave the impression, that there has been some kind of tie-up with respect to this legislation thus far.

Given our past practice and the silence of our standing orders on the time allocation procedure, I find the government notice of motion in a way an affront and an insult to the assembly, certainly at this time.

I draw attention again to the point made by a number of speakers two months ago with the first round of this debate, and that is the rule in our books which has been there for a long time to control debate. The government whip knows of its existence. I think I have been in a room on occasion where he has moved standing order 36. On occasion, I have been in a room when I have not liked it and, as the Premier (Mr. Davis) I think alluded to it this afternoon, I have, like some opposition members, cried out in reaction to and in resistance of that order. But I respect that it is part of our standing orders and has long been part of our parliamentary practice. It is there.

The government does have a tool. It does have a mechanism by means of which it can stop debate at a certain time. I said it two months ago and I repeat it now: I think it does not acquit this assembly in any positive way for us to be writing such major new rules under these kinds of conditions.

Mr. Martel: The Speaker should protect us.

Mr. Conway: I have to agree with the member for Sudbury East, who invites you, Mr. Speaker, to protect the rights of this assembly as an assembly duly constituted with standing orders

and with a provincial parliamentary practice that on balance we can be quite proud of. It is not perfect to be sure, but it has served the community for 115 years.

I cannot believe we are seized in the winter of 1982-83 with some parliamentary crisis that forces us into a new avenue, down a slippery slope of time allocation, without which we have been able to function for the previous 115 years. I really have to say that we must be protected from this kind of majority government stampede—

Mr. T. P. Reid: And arrogance.

Mr. Conway: —and arrogance.

I noted the government House leader was circulating within the precincts not many minutes ago. He was agitated about a release this afternoon from the Workgroup of Metro Parents, which said: "The Workgroup of Metro Parents today expressed its outrage at the government's use of closure to limit debate on Bill 127. On December 9, 1982, the government House leader, Tom Wells, stated that following the use of closure on Bill 179, closure would not be used again."

The minister repeats, in an interjection, that he never said that. He supplied members opposite with a transcript of his Metro Morning dialogue with Mr. David Schatzky on December 9, 1982.

I will read that, because I think it is very important in this connection. I was pleased to get this because I was saying to my friend and House leader, the member for Brant-Oxford-Norfolk (Mr. Nixon), that I remembered coming through that December debate with the idea and almost a commitment from the government House leader that they had moved time allocation for an exceptional situation but they would not do so again until the standing committee on procedural affairs had the opportunity to look carefully at what, if anything, the assembly could do to entrench that principle in the standing orders.

Let me just quote from the transcript of the Metro Morning interview with David Shatsky and the government House leader on December 9, 1982, supplied to me by the government House leader.

"Hon. Mr. Wells: We put in a time allocation motion.

"Mr. Shatsky: This is something we are familiar with in Ottawa. They use it a lot—the Liberal government there—but this is the first time in Ontario. Are you concerned about that?

"Hon. Mr. Wells: I guess we are always concerned when it is the first time, but because

of the precedent in Ottawa—they have used it 12 times this year and used it a couple of times on their six and five restraint bill—I think it is something we just have to look forward to using in our House now.

"Mr. Shatsky: But a precedent in another body does not make it a precedent here.

"Hon. Mr. Wells: Oh, no, no. And we, of course, are being very careful to say this is for this bill only."

Interjections.

Mr. Speaker: Order.

Mr. T. P. Reid: That is why the member did not move this motion; he does not believe it either.

Mr. Conway: Let me just repeat that, because it is important.

"Mr. Wells: Oh, no, no. And we, of course, are being very careful to say this is for this bill only. And our suggestion is that all parties sit down and look at the rules. It was suggested that we might have this kind of time allocation procedure several years ago when the Camp commission reviewed our rules.

"Mr. Shatsky: How will it work?"

That is the end of the transcript, as provided.

I read the transcript again and I get the very distinct impression that the message the government House leader wanted to convey was: "Yes, we moved it for the impasse on Bill 179. We did not like doing it, but we had no real choice." We in the opposition differed with that, but that was his position.

As I read the transcript and as I remember hearing it at the time, I had the distinct belief it would not be used again until the standing committee on procedural affairs had the opportunity to look at how time allocation might fit in with other changes in our standing orders. What really concerns me is that when we take government notices of motion 10 and 11 together, we have written a very major new rule into the precedents of this place.

We not only have time allocation for a logjam of the kind that was talked of with Bill 179, but now, thanks to a government notice of motion, we are going to have a time allocation precedent that is going to anticipate a problem. There has been no problem of the kind involved in the anti-inflation legislation in this matter, and I think that is extremely important.

4:50 p.m.

When I look at these two motions together, I am quite concerned about what we are doing to a very honourable tradition of parliamentary

practice in this place. I do not say that out of any false sense of concern, because I will say to the Minister of Education that only yesterday morning I shared a panel with the Minister of Revenue (Mr. Ashe) and the former leader of the New Democratic Party, the former member for York South, and said to a group of senior Ontario public servants, "Yes, I am quite prepared to look at time allocation in terms of the way we do business in the Ontario Legislature."

I think we have to reform our practices in a way that takes into account new pressures, but I reiterate that we must do it in an orderly fashion and it must be done by consent and with consideration of a host of other attendant issues. I cannot accept, and I will not lightly let pass, time allocation of the kind spoken of in government notices of motion 10 and 11. As a member of this assembly, I cannot let that pass into our practice and precedents without the most strenuous objection.

Notwithstanding my belief about what we might do with time allocation, I vociferously argue that it must be done in an orderly fashion, as part of an entire reform package and as part of the tradeoff between government and opposition that is invariably involved when we try to work out an improvement to the way we conduct ourselves in this place.

Mr. T. P. Reid: It is called the democratic process, or it used to be.

Mr. Conway: My friend the member for Rainy River highlights our interest. I think he says it all when he highlights our interest in the democratic way. We do not think there is much democracy about government notice of motion 11.

I submit that this motion is out of order. There is nothing in our standing orders, and even less in our practice, save and except that fateful day in December 1982 when the government House leader brought forward notice of motion 10, that legitimizes this tactic. As important as those items are, there is not and there has not been a difficulty with the progress of the debate with respect to Bill 127 in prior stages of its passage.

There has been no filibuster and there has been no untoward delay. There has been a vigorous response to the Legislature's invitation for people to come forward and pronounce yea or nay on the matter at hand, but there have not been hours and weeks of acrimony or a deadlock with respect to this legislation.

In conclusion, for the Speaker of this assembly, as the protector of the rights of all individ-

ual members, to be confronted the moment the bill comes back into the committee of the whole House at this particular juncture—

Mr. Sweeney: It has not even been in committee yet.

Mr. Conway:—when it comes back to us now in this place, the moment it arrives, that it is attendant with this sort of ultimatum is an affront to the Speaker's judgement in terms of understanding past practice, in terms of his ability to rule this place in a fair-minded way, it is an affront to members of this assembly, not all of whom find themselves on this side of the aisle in their opposition to Bill 127.

It is an affront to members of this assembly who want to, in an orderly fashion, express themselves on a matter of great importance to the educational community in this province and in this great metropolitan community. I have to say the government is not without its time-honoured capacity and methodology if it wishes, in the final analysis, to control and regulate the debate.

I conclude by pointing again to the longstanding presence of standing order 36, which gives to the government House leader and the Minister of Education all they require to move the debate along from time to time as they see fit, in a way that squares itself with the parliamentary practice of this place and the standing orders under which I thought we all operated.

Mr. Speaker: The member for York South. I know he will keep his remarks to the motion at hand.

Mr. Rae: Mr. Speaker, I will keep them directly to the point. I will keep them directly to the orderliness of the motion which has been put by the Minister of Education. I am speaking directly to the point of order, sir, and asking you to rule on whether this motion is in order or whether it is in contravention of the rules, the customs and the traditions of this place and is out of order.

It has become clear that this government has drunk deep and long the heady wine of the guillotine and simply cannot get enough of it. Like an addict, the government assured us the first time it tried this it would never happen again. That was an exception that was really out of the ordinary and due entirely to the completely extraordinary circumstances surrounding the debate on Bill 179.

The House leader was extremely apologetic about having to move it. He indicated this was just a one-shot deal, it was not in the cards for it

to happen again, it was not going to be a part of the traditions of this place, not part of the custom of this place, but rather it was going to be an exception.

How quickly we have learned. It is interesting to note, and we do have to note it, that it is not the House leader moving a procedural motion as one would anticipate and expect with respect to the business of this place. It is being moved by the minister and the minister alone because she is conducting her personal vendetta with respect to education, with respect to the Toronto Board of Education, and she wants to be the one to wield the knife.

Mr. T. P. Reid: The House leader would not touch it.

Mr. Rae: He would not touch the knife. He would not touch the guillotine a second time. He promised. He took the pledge with respect to the guillotine. It is the Minister of Education who has fallen off the wagon with such great high drama and is now moving the guillotine before we have even had a chance to bring the bill back.

We have not seen this bill since November. It was in November that this bill was discussed in this House. We have had discussions outside. The teachers and the parents have met with the Premier. The parents' groups have met with the Premier and the minister. Many things have happened. Many arguments have been made.

There have been discussions, we know, that have been loud and long, even within the Tory cabinet itself. We understand that even with respect to the cabinet office itself there have been some interesting and lively discussions. Now all those discussions in the cabinet, in the Premier's office and in this Legislature are being cut off by a second, brutal, ruthless use of the guillotine with respect to this legislation. It is not simply a shameful thing, it is also out of order.

5 p.m.

Mr. Speaker, may I ask you to cast your mind back to December 8, 1982, and the decision you made which is quoted on page 5945 of Hansard for that day. I want you to reconsider that decision. With the greatest of respect I do not think you put your mind to some of the arguments we made at that time, although they were correct in a technical sense, a legal sense and a parliamentary sense. I think you have to do so today, because they have all the more force, given the fact the government has fallen off the wagon in a most decided way. It is now being

utterly reckless with respect to the use of the guillotine motion.

It is clear now they will use it at any time. Every time something happens they do not like they are simply going to bring in these procedural motions whenever they want to get their way. They will say: "We are just doing it as a one-shot deal. We promise not to do it again," very much like those who are addicted to whatever they may be addicted to.

In the traditions of this place and the traditions of the House of Commons in Ottawa there is no such thing as a common-law right to allocate time or to limit debate. If one looks at the history of the two assemblies one sees it very clearly stated that time allocation—it comes under the general heading of closure as that term is broadly defined—is only permissible when it comes under the rules and standing orders of those assemblies.

The House of Commons introduced a closure rule in 1913. I will deal briefly with the history of that in a moment because it has to be understood if one is to grasp why this motion is out of order and is not acceptable as a technique. Prior to 1913, when the House of Commons rules were amended, the only technique for limiting debate was the limitation of having moved the previous question.

This is what we are told by the members' manuals and the texts of that time. The only other technique that existed for restricting the right of members to speak according to the rules of the House—besides the limitation of speaking once on second reading and so forth—was the limitation of moving the previous question. In 1904, we are told in the members' manual, this was the 35th rule of the House:

"Defining the previous question as precluding all amendments of the main question to be put in the words that this question be now put, if this motion prevail the original question is put forthwith without amendment or debate and although the question of adjournment may be proposed and voted upon after a motion for the previous question has been placed in the hands of the Speaker, it cannot be moved when the previous question has been carried before the main question has been disposed of."

It goes on to describe those circumstances in which this technique of moving the previous question was used. It describes the cases where it was applied and makes it very clear that apart from that rule with respect to putting the previous question, there was no provision any-

where for an allocation of time in the House of Commons.

The House of Commons had a very long discussion on the naval appropriations bill in the years following the election of the Conservative government of Mr. Borden in 1911. Since that discussion was so long, so lively, so protracted and so difficult, as many of these defence questions often are, it was decided that the Conservative government in its wisdom would bring in a new closure rule.

It is interesting to note this closure rule is associated with the name and memory of Arthur Meighen who went on to become the Solicitor General and, of course, Prime Minister of Canada, and an unsuccessful candidate in the York South by-election. It shows what can happen to those people who get closure hungry.

That closure technique passed by the rules in the House of Commons in Ottawa was used very infrequently. It was used once by the Bennett government in about 1932 in a discussion concerning the Bank Act. It was used again, and perhaps most notoriously, by the Liberal government in 1956 during the pipeline debate.

It is perhaps instructive for all of us to consider that technique and the fine traditions of the federal Conservative Party which were clearly established in that great battle in 1956. Then the Conservative Party stood for the principles of parliamentary sovereignty and protection of minority rights. It stood for the notion that artificial time limits set by Mr. Howe, Mr. Pickersgill and Mr. St. Laurent were less important than the basic principle that Parliament had to be respected and given the opportunity fully to scrutinize and debate the question of the pipeline. It was not something that could be subjected to arbitrary time limits set by those whose only criteria were power and convenience.

Subsequent to the trauma of 1956, the federal House moved slowly and gradually to the adoption of rule 75(a), (b) and (c) of the old standing orders of the House of Commons—I do not know the numbers under the new standing orders—to provide for something called time allocation. Those time allocation rules have replaced the old closure rules. There are now no closure rules in the House of Commons apart from those set out in rule 75(a), (b) and (c).

The point I am trying to make is this: At any time in the history of the House of Commons—in 1905, 1910, 1915, 1920, 1925, 1930, 1935, 1940, 1945 or 1950—if a motion had been made for allocating time, it would have been ruled out of

order. This was for the simple reason the House had put its mind to the specific question of allocating time in a particular standing order, and that standing order provided for certain ways, means, rules and regulations for the termination of debate.

This House has done exactly the same thing. It has put its mind to the question of closure and to the specific question of how it wants to limit debate in this Legislature. We have a lot of evidence for that. We have the specific evidence of the text of standing order 36 which you, Mr. Speaker, are bound to uphold under standing order 1.

Those standing orders are it. Outside of those standing orders it is not possible for the government to amend simply by means of a motion it decides to move on the spur of the moment, or to protect a minister's ego or his or her desire for a particular piece of legislation. This House transcends that kind of interest, whim or need on an individual basis for the political convenience of one minister or another. This House has put its mind to rules which I suggest are the only protection all the members of the Legislature have.

If we move down the road towards the position the government has been taking, that it can and will, at whatever time it chooses, suspend the standing orders and simply bring in whatever allocation of time it chooses on whatever bill, then I suggest there is little point in any of us being here to put forward a point of view and attempt to participate in the debates and discussions.

Mr. Speaker, we have rules according to certain processes which you are obliged to maintain and uphold. You cannot be a party to a gutting of the rules of this place without abandoning your function and responsibility as the protector of all members of this Legislature.

5:10 p.m.

There are particular aspects of the motion I want you to put your mind to for a moment, Mr. Speaker, in considering its acceptability and orderliness. You yourself in your particular role are being compromised in an unusual way. I suggest you are being asked at different points to interrupt the proceedings and put the question for the adoption of the report without amendment or further debate, and if a division is called, etc., the bells will be limited to 10 minutes.

This is not simply one closure motion—and I know people object to the use of the word "closure." How many do we have? We have

closure on committee of the whole, the report stage and third reading. It is three closure motions in one in allocating time.

At each of the stages you are being asked not by the whole House, in terms of consensual process, to interpret and enforce the rules, as you must do as a servant of this House. You are being told by the government what to do. You, in your office, are being used by the government in a particularly partisan way. That is something you should reflect upon as you consider the acceptability of this motion in light of the way it upsets the important balance existing between minorities and majorities in this Legislature.

This may seem like a minor point but I think it is worth raising. The bill also suspends the normal sitting times of the House. We are being asked to vote on something at 2 p.m. when, as you well know, the standing orders clearly provide the House will adjourn on Friday at one o'clock. That is standing order 2(d).

It is a minor point perhaps—one many people might not think of the greatest importance. But again it indicates something—in any other example I can think of the government would traditionally and normally move by unanimous consent to change this. I guess I would call it parliamentary politeness. It is a sense that one does not just say unilaterally, "You are going to meet here when we tell you to meet. You are going to pass what we tell you to pass. This is the way we are going to run things here."

There is a sense of decorum and respect about this place for the views each member might have on a piece of legislation. There is a common-sense realization on the part of the government that it is possible to continue to use one's majority to throw out the standing orders in various ways, but when that happens there is something wrong.

There is a legal rule—I will not use the Latin phrase; I will simply use the English equivalent—and that is the expression of one thing means the exclusion of another thing. The expression of one thing means other alternatives have been excluded. As members know, that is a basic legal rule of statutory interpretation. It is a basic guide the courts have used in interpreting statutes and I think you, Mr. Speaker, should use it in interpreting the standing orders of this House. The expression of one thing under section 36 excludes other alternatives that governments may choose to find from time to time more convenient than what has been provided for in the standing orders. But nevertheless, it is something the House will not allow.

The House put its mind to section 36. One must look at the recommendations of the Camp commission and the response of the Morrow committee on the Camp commission—which the government House leader proudly read into the record during the last debate in indicating this House strengthened his position. It does not strengthen the government's position: it strengthens our position. It says the Camp commission recommended there be some rules for time allocation. The Morrow committee rejected that advice and the House did not adopt it.

Therefore we have here a situation where the question of time allocation was specifically discussed and rejected by a committee of this Legislature. The committee was chaired by a Conservative member, and its report was concurred in by my colleague for Sudbury East (Mr. Martel) and members of the Liberal Party. A former Speaker chaired it, Mr. Speaker. This government is now telling us that does not matter and that whenever they want they can bring in a motion that will have the effect of suspending the standing orders adopted by this House.

That is wrong. It is not just morally wrong, Mr. Speaker, it is something that cannot be done and you have to put your mind to that fact. You said in your decision on December 8 that there were precedents. On page 5945 you said there were precedents in Westminster and Ottawa and you said: "It is something which is in order because the motion has been made properly. There has been proper notice and it has been properly printed. It was properly moved and put before this House."

But you have to consider the fact there really is no precedent in Ottawa—in fact, quite the contrary. The precedent in Ottawa is clearly that when the Liberal government or Conservative government wanted to move to closure, or wanted to move from closure to time allocation, they had to do it through the standing orders of that House. That is exactly what they did. That is the precedent, sir, that is binding on you.

If this government wants to move to the allocation of time, they have to do it by means of standing orders. They cannot do it by means of ad hoc motions whenever it suits a particular minister whose job may or may not be on the line. That is the issue in this case.

Given the use the government wants to make of your job and your position, and given the way in which your role in this House is in my view being severely compromised by the wording of that motion, and given the fact it clearly sus-

pendes the standing orders with respect to sitting times of this Legislature, with greatest respect I would ask you, sir, to reconsider, perhaps at length, exactly what is being done here.

It is clear this is not a one-shot deal. This is a government that will move this kind of motion whenever it feels like it. I want to emphasize the point that has been made by my colleague and friend, the member for Renfrew North. When the government moved the motion with respect to Bill 179 they used the words: "Completely hampered in the House." They said there was a complete deadlock, a breakdown for three months. The bill was stuck. There was no other possibility, nothing to be done.

There is no such impasse in this Legislature with respect to this legislation. The only impasse is in the minister's head. There is no deadlock. The only deadlock is in the middle of the Tory cabinet. There is no deadlock in this Legislature. We have moved to clause 6 in committee of the whole and there are nine clauses in the bill. The bill has not been deadlocked. The bill has not been sandbagged. The bill is being discussed.

I can assure the minister I have read it—I would suspect just about as carefully as she has. Judging from some of the comments she has made about the bill, I think I have read it probably a little more carefully than she has. I apologize—there are 13 clauses. I forgot the short title of this act is the Municipality of Metropolitan Toronto Amendment Act, 1982. I forgot the fact it comes in when it receives royal assent, and other major items of that sort, which we all know will take up an extensive period of time in our debates here.

I simply want to say the justification the government made for that kind of motion does not hold any water today with respect to this legislation. It is a monstrosity to argue that somehow the minister is being held up and it is impossible for this bill to get through. That is absolutely a monstrous proposition. The reality, of course, is there is a great deal of opposition to this bill. That opposition is being expressed in this Legislature. It is not confined to the city of Toronto. It is not even confined to Metro Toronto. It is not confined to the New Democratic Party. It is not confined to the Liberal Party.

5:20 p.m.

It concerns and affects and involves the opposition of a great many members of the Conservative Party. This issue is about the fact that the minister is having political difficulties in

her own party, with her own ideological extremism and with the kind of vendetta she is carrying on against the school board in the city of Toronto. Because the members of the Conservative Party know that, the minister has managed to convince the Premier (Mr. Davis) that the only way to get out of this thing is to get out of it as quickly as possible and as cleanly as possible. There is nothing clean about what the government is suggesting with respect to closure on this bill. It is dirty and it is wrong. It is something that does not add up, according to the rules of this House.

I am not going to refer to traditions and customs. I am talking about the rules. I am talking about the black-letter law of this place and about the fact that the Speaker is the only person who can maintain that black-letter law, not with respect to usages and customs but with respect to rules and the law of the House. I suggest, when one looks at what happened in Ottawa, when one looks at the history of the introduction of closure and time allocation, it is absolutely, fundamentally, perfectly clear that when the government of the day decided to move to time allocation, it did not do it through the back door, because it knew it could not do it through the back door. It had to do it through the front door, through changing the rules.

The only other way of closing off debate in this House, the only way of doing it according to the rules of the House, is through standing order 36. The expression of standing order 36, the explicit provisions of standing order 36, are exclusive. That is it. There is nothing else outside standing order 36 with respect to the limitation of time. The legislative history of the Morrow select committee on the Legislature and of the Camp commission on private member's role in the Legislature strengthens our case and weakens the government's case.

I beg the Speaker to think about the implications of letting this thing go through for a second time. It is out of order. It is not in order with the standing orders of this place. It is not in keeping with the law of this place. The Speaker has an obligation to consider those arguments and to deal with them very carefully indeed. I believe they are binding on him, are persuasive and are ones he must follow if he is not simply to protect minorities but also to follow the rules and the orders and the specific provisions of the standing orders of this Legislature.

Mr. Speaker: Before I recognize the member for Brant-Oxford-Norfolk (Mr. Nixon), I would like to caution our visitors in the gallery. Please

do not participate in any way in the proceedings of this chamber. Otherwise, I will have no choice but to ask you to leave.

Mr. Nixon: Mr. Speaker, I rise on a point of order to support the contention put forward by my colleague the member for Renfrew North that the motion, as it is presented before us at this time, is not in order. I am not prepared to go over the reasons put before you last December in support of the contention that motion was not then in order. I do support very strongly, and reiterate on my own behalf, the idea that any concept you might have, particularly by the government putting forward the motion, that somehow or other the passage of the bill has been intransigently opposed or delayed is incorrect.

I believe it is true that the minister herself, with her intransigence, almost her ferocity in support of her concept in this connection, may have browbeaten some of her colleagues into feeling that the bill can no longer be productively debated in the House without the restrictions of this resolution. You have already been informed of the statistics associated with the debate, and that we are at present in the committee stage in the House, and that it has moved forward, albeit in the minds of the minister and her supporters too slowly, but in fact steadily, as the various matters, section by section, have been discussed. It seems to me that, among your many responsibilities in this House, there is one that takes precedence over all others. That is obviously, and I know you will agree, to safeguard the rights of the minority.

Certainly we have had an opportunity to discuss this in standing committee outside the House, where primarily we heard the views of citizens, teachers, board members, parents and many others, expressing in some cases their support, but in most cases their direct opposition to the bill and its specific provisions.

As members may recall, the bill was brought to the House under rather strange and unusual circumstances. It was moving through the committee stage here in a deliberate way in which the matters were debated section by section and settled by vote in this House. It is not an unduly lengthy bill. In my view, it is not fair or proper for the Minister of Education to bring forward an allocation motion which will restrict the freedom of debate we are used to in this House.

Frankly, Mr. Speaker, I voted against your decision that the time allocation resolution was in order last December. I voted against it on the basis that it was not part of our rules and that we

had procedures which had served us in good stead since the beginning of the work of this Legislature more than 100 years ago. I regretted very deeply then that the government saw fit or felt itself forced to take this position.

There are those—and perhaps I am one of them—who felt that the delay in the passage of that particular bill might have—in the minds of reasonable people—forced the government to at least move to some form of closure, abhorrent though I personally found that and continue to find that to be. You ruled that particular resolution in order. It was objected to in the House at length, with all the arguments that could be mustered, but your decision in that instance was maintained.

I submit to you, sir, that the objections today are entirely different. Perhaps it is relevant—and I would support those who say it is relevant—that the rule in Ottawa does not apply here; that we have no specific rule and so on. All of those objections are significant and you must take them into consideration. In my view, what is going to make this a difficult day for you is the fact that the bill has not been held up in the course of its progress through this House. It has been moving slowly but surely, section by section, with reasonable debate on all sides. Each section has ended with a vote, which has been recorded and has allowed the House to move on to the next section.

I believe that it is out of order in this House for the minister, simply because somehow or other in her frustration she wants to move the bill—

Interjection.

Mr. Nixon: In my opinion, her frustration on this bill has been evident today and in the past. I believe it is out of order to expect a resolution based on that.

As has already been said, we would all love to get out of here. We have other things to do, but this is an important, overwhelming responsibility for all of us. Probably the least of the aspects is that we are all paid to be here for as long as the business of the House requires our attendance. Most of us feel that this is an important bill. It affects everybody in the province, although the minister has clearly stated her views to the contrary. We disagree on that particular aspect.

Mr. Speaker, this is a very tough decision for you to make. We have not stopped dead in the House; far from it. The debate goes on slowly and it is frustrating for people who are not immersed in it themselves. They think: "According to the government and Conservative mem-

bers, who is running this place anyway? Who won the election anyway?" That is the question that must make you perk up your ears. I know it does, because we have only one safeguard here under our rules of order: the requirement that you must safeguard the minority against an infringement of their rights.

When this point of order finally comes to the test, you may be convinced by that argument or the other argument—although from my point of view, that is the argument that must give you concern. If you rule the resolution out of order, what will happen then? I suppose only one thing can happen: the government, with their commitment to this bill and to their course of action, would appeal your ruling and reverse you.

It has happened in the past. It is not a very nice thing to contemplate, but it is not a dishonourable thing for the Speaker of this House or any other democratic House. It would, in no way, demean you, sir. In many respects, it would set you apart from any of the Speakers I have known, excellent though they have all been.

5:30 p.m.

In your own mind, Mr. Speaker, you would say, "Well, my God, I have to rule this in order: it comes from a senior minister;" after what you and all of us have sensed: the altercations behind the curtains of cabinet solidarity and the secrecy of caucus, such as it is—and it has been breached on many occasions in this bill. It is a difficult thing indeed.

I close simply by saying that the bill has not been held up in this House, and there is no one who can say it has been. As a matter of fact, it has been delayed by the decisions taken by the government House leader and supported by everybody on that side not even to consider it until all the other business was finished, all the money was voted and the supply bills were ready in your hands to hand humbly to his Honour the Lieutenant Governor whenever he comes to prorogue. Everything has been done, everything has been set aside except this last bill.

It seems to have hung on for a long time, mostly because the government has been afraid to touch it with a 10-foot pole. They have been afraid to allow the debate to take place in committee stage the way it must take place with all the deliberation our rules require. When it is apparent in some judgement that it is simply stopped dead, that the business of the province is stopped dead and that nothing the government can do, other than the application of

closure, can get it to move again, then they could consider the bill.

I submit, Mr. Speaker—and this is the only test for you to make—that it is not stopped dead; and if you accept this motion, it really means that the rights of the minority have not been safeguarded, as is your responsibility.

Mr. Renwick: Mr. Speaker, I need not repeat anything that has been said by the member for Renfrew North, the leader of our party and the House leader of the Liberal Party, and I do not intend to repeat any of their comments. The points are effective. They have been well expressed. The depth of feeling that this side of the House exhibits about this kind of motion is obvious to you as Speaker of the assembly.

I want, if I may in the short time I intend to take on this point of order, to make a submission making one or two assumptions, which I could perhaps have argued at some length but which I am prepared to make in order to narrow and, in a sense, to try to be helpful to you in the very difficult decision you are going to have to make about government notice of motion 11.

Members may recall that in December I was concerned about the historical origin of government notice of motion 10, and at that time I dealt a little bit with the history of Great Britain during the period between 1880 and 1890 in order to illustrate why that first allocation of time motion was introduced in the House of Commons in England in 1887. It is not my intention to repeat any of that history.

I did, however, want members to understand that during the interval between that debate and now, I have had the privilege of reading Anthony Trollope's *Phineas Finn*, which relates to the parliamentary world as it existed in England during the time of the second reform bill. The second reform bill in 1866 was in committee of the whole House in the House of Commons from February until August, and that seemed to me to be a reasonable period of time to deal with what was in British parliamentary terms a very controversial and very difficult piece of legislation.

I want members to bear that in mind when they compare the amount of time we have spent on this particular bill. I need also say that I would recommend that particular novel to Mr. Speaker and to anyone else in the House. It is most entertaining and instructive with respect to the origins of some of the traditions of this assembly.

Mr. Speaker, I also refer you to the quotation from Edmund Burke, and I will not quote it, which appears in the front of Erskine May's

Parliamentary Practice with respect to the fine problem in conceptual terms you are faced with in making your decision.

Before I move to the clear submission I want to make in a narrow context, I want to point out the constraints under which you must operate in making the decision you want to make. You should not lose sight of the co-operation which was evident in the House as a whole up until 9:15 p.m. last evening when, I believe, my House leader first received notice of the intention to introduce this motion today.

I want to point out we acquiesced with the government House leader not abiding by the rules of the House, that is standing order 13, last Thursday evening. We acquiesced with his nonobservance of the rule which provides that, "Before the adjournment of the House on each Thursday during the session, the government House leader shall announce the business for the following week". We acquiesced and co-operated in recognition that as the work of the House was progressing we would go on a day by day step toward the resolution of the problem in front of us.

As well last Thursday, we acquiesced and co-operated when the government House leader, during routine motions, dispensed with private members' public business on Thursday afternoon of this week and when we agreed to sit tomorrow afternoon, Wednesday, to co-operate and facilitate the work of the assembly.

I have heard it said everyone knew the government was going to bring in closure on this debate. I want the House to know that until it happens I do not believe the course of history is so foreordained. I did not believe last night the government was going to bring in closure because of the co-operation which had developed and because of the way in which the House leaders of the parties were able to order the business of the House, even though there was a significant break with the traditions of the assembly.

It is quite unique that the session did not end with the vote on the budget at the end of the budget debate and the passage of the supply bill. The government had the co-operation of each of the parties to provide that all the business of the House, which the government had indicated it wanted passed, would be dealt with in an orderly way. I want to emphasize the extent and degree of the co-operation which was evident in the ordering of the business of the House, despite the frustrations and concerns it caused some of us when one does not know what the name of the game is because significant changes

are being made in the traditional way in which the House business has been carried on.

We tried our best to deal with the question of supply for the government. We co-operated with respect to a number of important bills on the Order Paper. They were debated appropriately. Every effort was made to expedite the ordinary business of this House in the extraordinary circumstances in which we were placed.

We recognized and everybody recognized that Bill 127, and this is not a matter of pejorative comment about it, brought out a very significant difference of opinion. It has been well expressed by the leader of this party that it is not limited to the opposition, that each of the parties has differing views of a matter of concern and importance with respect to what I would call the quality of education.

I thought we were moving to a position where, in accordance with the rules of the House, with the co-operation of the government House leader and within the framework of the rules of the House, the bill, if it was called—and the government obviously had difficulties about that—would be dealt with within the ambit of the rules we have in our standing orders.

5:40 p.m.

Before I move on to the actual standing orders, and the limited submission I want to make in an effort to be of assistance to you in your decision Mr. Speaker, I ask you, since you have all the information at your disposal, what is the amount of time this assembly has spent on this particular bill?

The Speaker will agree it was only right and proper that this Legislative Assembly should have debated this bill on second reading last June in the way in which it was debated. It was a reasonable, proper and most appropriate debate. The bill, pursuant to the standing orders of the assembly, was referred to committee to hear public submissions. That is an appropriate way for a government and a Legislative Assembly to deal with a bill which obviously has significant controversial overtones to it in the way it is perceived by the public.

The bill then came back into the assembly and my colleague the member for Oakwood (Mr. Grande), who is the critic for the Ministry of Education in our caucus, advises me that last December there was the equivalent of three sitting days in the assembly when the bill was being dealt with on a clause-by-clause basis in committee of the whole House. We have, as I understand it, progressed to about halfway through the bill in the course of that debate.

I ask the Speaker, in the light of the time spent in committee of the whole House, to ask himself whether it is now appropriate, the opposition having co-operated on all other matters with the government, that the government's response to that co-operation should be to introduce government notice of motion 11. It is within that context I would like to come back specifically to the assumption on which I am prepared to go in this debate.

I can make all the arguments in the world that I do not like the sudden intrusion into our assembly of rules from another place when we do not have our own adequate rule book. I could express my concern about the independence of your position, sir. It has been well expressed in the debate this afternoon on this point of order.

I could express my concern again to the Clerk of the House and to you, Mr. Speaker, that while they may have a Beauchesne on the parliamentary process at the House of Commons and they may have Erskine May with respect to the parliamentary process at Westminster, we do not have any book which explains our rules and regulations or the circumstances and conditions under which they arose.

I could argue those points, but I do not want to be argumentative about that kind of thing. I want to come to very clear submissions to you, Mr. Speaker. I will accept for the purposes of this point of order that our rules provide in standing order 1 the following:

“(a) The proceedings in the Legislative Assembly of Ontario shall be conducted according to the following standing orders.

“(b) In all contingencies not provided for in the standing orders the question shall be decided by the Speaker and in making his ruling the Speaker shall base his decision on the usages and precedents of the Legislature and parliamentary tradition.”

We accept that. Further, we accept that the parliamentary tradition is reflected in Erskine May. For my purposes, it is reflected in the 17th edition of Erskine May, Parliamentary Practice, by Sir Barnett Cocks. There may be a later edition, but I do not happen to have one.

Mr. T. P. Reid: There is a 19th. It has not changed a great deal.

Mr. Renwick: On this particular point, I do not think so. I wanted to make certain that the Speaker, when he is considering this matter over the dinner adjournment, is not confused as to what my page references might be, if I should draw them to his attention. I could, if I wish to

do so, go into some of the history of the process of debate in the ordering of the business of the House, but I want to come to chapter XX. The heading of that chapter is Methods of Curtailing Debate.

I want to quote some of these portions, not in extenso, but to illustrate the submission I wish to make to you about this difficult decision. I quote from the opening paragraph: “The principal methods available for the curtailment of debate on particular items of business in the House of Commons are the following: 1. The closure of debate (of which there are two principal forms, (i) the ordinary closure, and (ii) closure on the words of a clause.)”

I am going to skip the second one because we do not have that rule in our assembly. The third reads, “3. The allocation by orders of limits of time for discussion.” That, of course, is the form of curtailment of debate that is before us at this time. The question of closure of debate by ordinary closure is provided for in our standing orders, as has been referred to, that is, standing order number 36. I need not read to you, sir, the provisions of standing order 36 on the question of closure by motion of the previous question.

I want to make a distinction that is perhaps not always clear. There are rules that also provide for the difficult situation of the application of that rule when the House is in committee of the whole and it is dealing with a clause-by-clause provision in the bill. I want to quote under the subheading of the chapter to which I refer, Multiplication of Amendments. It may well be within this parameter that we are discussing the question you have to decide, Mr. Speaker.

Having discussed the ordinary closure during second reading debate or on some similar occasion, it goes on to say: “The ordinary closure is much less effective in the course of the committee and report stages of bills, and, occasionally, on motions, when the problem to be dealt with is caused by the multiplication of amendments. If all the amendments that are sometimes offered were moved and debated exhaustively, the process of disposing of them by closure might take an inordinate amount of time.

“To meet opposition of this kind, a special form of closure known as ‘closure upon the words of a clause’ is laid down. This paragraph” — and that is referring to the British House of Commons standing order — “gives power under the same conditions as the ordinary closure, to secure a decision on a clause, or a defined

portion of a clause, to the exclusion of all amendments that have been, or may be, offered.”

I want to draw to your attention, Mr. Speaker, that closure on the words of a clause is a process that is included in our standing order 36 and has been used, as it was used in the standing committee that was considering Bill 179, and it is a distinction that is not always evident. In other words, it is not necessary for the government minister, or any member of the assembly who wishes to move closure, to move closure on each amendment.

The rule has been devised and expanded in such a way as to provide specifically for the application of closure in committee of the whole House in order to overcome what at some point may appear to be a multiplication of amendments and perhaps a use of the processes of the House for something called obstruction or unnecessary repetition of arguments.

5:50 p.m.

That distinction is extremely important when we understand this bill is in committee of the whole House. There is certainly no problem when it goes to the report stage or to third reading, because that requires the simple, well-known process of closure that can be moved at any time.

I do want to emphasize the specific adaptation of the rules in order to provide that rule 36 can be used at the appropriate time and occasion. Under your discretion, sir, limited as section 36 is, it must not be an abuse of the standing orders of the House or of the rights of the minority. We respect that process. We accept that process. We always have dealt with that process.

The government, having had co-operation in the ordering of the business up to this stage of this session so the work can be expedited, appears to have decided that it must not use the standing orders. It wishes to take the step to which we have registered our objection and in my submission the step to which you must, in my opinion, address your particular concern.

Let me go on to what Erskine May states about the equivalent of government notice of motion 11, the allocation of orders that limit time for discussion, and outline to you, in my humble submission, what are the limitations on your decision-making power on this particular item.

It refers to occasions “which arise under governments of whatever political complexion, when, in order to secure the passage of specially important and very complex or very controver-

sial legislation, the leaders of the House are confronted with the choice, unless special powers are taken”—and I draw your attention to the three choices—“of cutting down their normal program to an undesirable extent, or of unreasonably prolonging the sittings of parliament, or else of acknowledging the impotence of the majority of the House in the face of the resistance of the minority.” Those are the three and only three criteria in Erskine May and those are the three criteria that you, sir, must act upon. I want to come back to those in a moment or two.

It goes on: “In such circumstances resort is had sooner or later to the most drastic method of curtailing debate known to procedure, namely the allocation of a specified number of days to the various stages of a bill, and (in the case of the committee and report stages) of limited amounts of time to particular portions of the bill, together with provision for securing the disposal of the stages or portions of the bill at the end of the time allotted for each. This method is not provided for by the standing orders but is applied when the need arises by special orders of the House known officially as ‘allocation of time’ orders and colloquially as ‘guillotine’ or ‘closure by compartment’ orders.

“They may be regarded as the extreme limit to which procedure goes in affirming the rights of the majority at the expense of the minorities of the House, and it cannot be denied that they are capable of being used in such a way as to upset the balance, generally so carefully preserved, between the claims of business and the rights of debate. But the harshness of this procedure is to some extent mitigated either by consultations between the leaders of both parties with a view to establishing agreement.”

We must not misunderstand. This is not an alternative process in the sense that on the one hand we can do it this way and on the other hand we can do it that way. It is invoking in this chamber the most drastic curtailment of debate known to the parliamentary process.

Is this such an occasion when, as I have indicated without undue repetition, the parties in the House have all co-operated without knowing what the ultimate intention of the government was, believing, as we did—and I am indebted to what my friend the member for Renfrew North (Mr. Conway) had to say about the bill—that December was the only occasion when this procedure was going to be used, and believing the discussions that have generally gone on among the House leaders and generally

in the House of the need to look at all our rules again and to develop by way of consensus the necessary changes that should be in the rules?

My final submission, Mr. Speaker, if you will allow me to make it before six o'clock, is that you can make this important decision for the drastic curtailment of the rights of the opposition parties in this assembly only if you can come within one of the three stated cases that Erskine May provides. If we are going to call parliamentary tradition in aid and if we are going to call Erskine May in aid as the authoritative statement of that parliamentary tradition, then you are limited by these three choices:

"The leaders of the House are confronted with the choice, unless special powers are taken, of cutting down their normal program to an undesirable extent." This is the last item in the program of this parliament as far as we know and we have co-operated to bring that event about. So in my submission there is no cutting down of the normal program to an undesirable extent.

The second choice you have to answer is, "or of unreasonably prolonging the sittings of parliament." I would submit there is no unreasonable prolonging of the sittings of parliament. In no way, in a Legislature with the population of this province and the problems this assembly is faced with, can it be said we would be unreasonably prolonging the sittings of parliament.

I want to emphasize, and I say it to the government and I say it to you in my submission, Mr. Speaker, that this is within the context of the government on appropriate and, in their view, correct conditions, using the power they have under standing order 36 to move closure whenever they want to on any particular clause in the bill or at any particular stage of the bill.

So in the course of a reasonable debate on the remaining part of the bill it is within your power, Mr. Speaker, in the ordinary processes of the parliamentary tradition to carry out the debate as you see it within the parliamentary process.

The third one, and I need not mention this, was that they would be acknowledging impotence. We may have some question about the impotence of individual members, but we do not have any question about acknowledging the impotence of the majority of the House in the face of the resistance of the minority.

You yourself have told us, Mr. Speaker, that the reality of March 19, 1981, was very clear. Surely you do not have to engage in some machismo operation to prove your virility to us

on these matters. Surely you will dismiss that as a choice you have to consider in any way.

I want to conclude my remarks by saying, very simply, Mr. Speaker, those are the three choices on which you have to determine whether the action of the government is in order and is justified. My submission is that it is not in order; that it would be unwise for you to so affect the rights of the minorities in this assembly when another course is available.

I do not believe, as the member for Brant-Oxford-Norfolk (Mr. Nixon) indicated, I do not believe for one single moment, knowing the government House leader, that if you ruled this out of order the government members would challenge your ruling on that question. I think on reflection they would say to themselves, "We will proceed in the ordinary course under the ordinary rules of the House as we understand them and we would invoke, as occasion may require, the power under standing order 36 to move closure of the debate."

I would submit, Mr. Speaker, that put to you in those terms the answer to the question is obvious. You may wish to make a decision now to rule it out of order. Should you have any problem with that, you might wish to consider these remarks during the dinner recess.

Hon. Mr. Wells: Mr. Speaker, I assume before you consider this matter I will have an opportunity to argue the very logical case for the motion being in order. I noted in reading through the rules that the last time we debated this particular matter you indicated you would hear remarks from each of the parties on the point of order and then make your ruling. I would—

Mr. Martel: Oh, here are more instructions.

Hon. Mr. Wells: No, Mr. Speaker indicated at that time he would lay down some ground rules and would hear positions from each of the parties. I would merely ask Mr. Speaker if he is going to have a full-scale debate on the point of order.

Mr. T. P. Reid: Mr. Speaker, I presume that was a point of order, to put a nice tinge on it, from the House leader of the government side. I would say he is directing you—

Hon. Mr. Wells: I am not directing him.

Mr. T. P. Reid: —and trying his best to intimidate you. I intend to speak on this point of order later on and I presume there are others who wish to speak. It being one of the more important points of order we have had around

here, I am sure you would not restrict debate on any side.

Mr. Martel: Mr. Speaker, I find it a little presumptuous of the government House leader to give this little lecture to Mr. Speaker. Surely Mr. Speaker is running the—

Mr. Barlow: We have listened to this for two hours.

Mr. Speaker: Order.

Hon. Mr. Wells: I did not give a lecture. I asked Mr. Speaker if he was going to do the same thing he did the last time.

Mr. Stokes: The Speaker is on his feet.

Hon. Mr. Wells: Then the member for Lake Nipigon should sit down.

Mr. Speaker: Order, please. Order.

Mr. Martel: If I might continue for a moment, Mr. Speaker, I found it a bit presumptuous that he would try to direct you. You are capable of doing this.

I let my friend the member for Rainy River, as it is allowed, enter into this debate because of what is transpiring. I would ask Mr. Speaker to use his good judgement and not the direction from the government House leader.

The House recessed at 6 p.m.

CONTENTS

Tuesday, February 15, 1983

Statements by the ministry

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:

Kickboxing and full contact karate. 7625

Pope, Hon. A. W., Minister of Natural Resources:

Community fisheries projects. 7627

Wiseman, Hon. D. J., Minister of Government Services:

Government services. 7625

Oral questions

Bernier, Hon. L., Minister of Northern Affairs:

Logging truck fatalities, Mr. Van Horne. 7639

Davis, Hon. W. G., Premier:

Testing of cruise missile, Mr. Rae. 7633

Metro Toronto bill, Mr. Rae, Mr. Bradley, Mr. Martel. 7635

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:

Kilderkin Investments, Mr. Peterson, Mr. Renwick. 7628

Astra/Re-Mor, Mr. Cunningham. 7638

Grossman, Hon. L. S., Minister of Health:

Merger of hospital services, Mr. Peterson, Mr. McClellan. 7631

Ramsay, Hon. R. H., Minister of Labour:

Central Precision Ltd. dispute, Mr. Mackenzie. 7639

Taylor, Hon. G. W., Solicitor General:

Leamington police force, Mr. Ruston. 7637

Walker, Hon. G. W., Minister of Industry and Trade:

Hawker Siddeley, Mr. Foulds, Mr. T. P. Reid. 7637

Sparton of Canada Ltd., Mr. Cunningham. 7638

Private member's motion

Motion to set aside ordinary business, Mr. Peterson, Mr. Swart, Mr. Riddell, Mr. Timbrell,
negatived. 7639

Third readings

City of Thunder Bay Act, Bill 146, Mr. Bennett, agreed to. 7643

Regional Municipality of Hamilton-Wentworth Act, Bill 192, Mr. Bennett, agreed to 7643

Municipality of Metropolitan Toronto Act, Bill 195, Mr. Bennett, agreed to. 7643

Government motion

Consideration of Bill 127, resolution 11, Miss Stephenson, Mr. Conway, Mr. Rae, Mr. Nixon,
Mr. Renwick, Mr. Martel, recessed. 7643

Other business

Recess. 7659

SPEAKERS IN THIS ISSUE

Barlow, W. W. (Cambridge PC)
Bradley, J. J. (St. Catharines L)
Bernier, Hon. L., Minister of Northern Affairs (Kenora PC)
Breithaupt, J. R. (Kitchener L)
Conway, S. G. (Renfrew North L)
Copps, S. M. (Hamilton Centre L)
Cunningham, E. G. (Wentworth North L)
Davis, Hon. W. G., Premier (Brampton PC)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
Foulds, J. F. (Port Arthur NDP)
Grossman, Hon. L. S., Minister of Health (St. Andrew-St. Patrick PC)
Johnston, R. F. (Scarborough West NDP)
Kerrio, V. G. (Niagara Falls L)
Laughren, F. (Nickel Belt NDP)
Mackenzie, R. W. (Hamilton East NDP)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
McKessock, R. (Grey L)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Peterson, D. R. (London Centre L) 
Pope, Hon. A. W., Minister of Natural Resources (Cochrane South PC)
Rae, R. K. (York South NDP)
Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
Reid, T. P. (Rainy River L-Lab.)
Renwick, J. A. (Riverdale NDP)
Riddell, J. K. (Huron-Middlesex L)
Ruston, R. F. (Essex North L)
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
Stokes, J. E. (Lake Nipigon NDP)
Swart, M. L. (Welland-Thorold NDP)
Sweeney, J. (Kitchener-Wilmot L)
Taylor, Hon. G. W., Solicitor General (Simcoe Centre PC)
Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
Turner, Hon. J. M., Speaker (Peterborough PC)
Van Horne, R. G. (London North L)
Walker, Hon. G. W., Minister of Industry and Trade (London South PC)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)

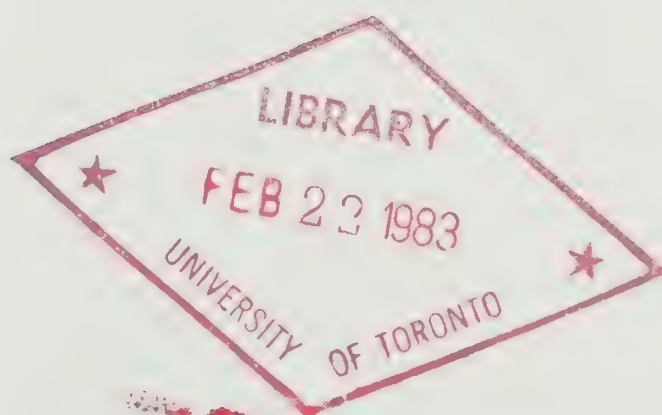




138
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Legislature of Ontario Debates

Official Report (Hansard)



Second Session, Thirty-Second Parliament

Tuesday, February 15, 1983

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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LEGISLATURE OF ONTARIO

Tuesday, February 15, 1983

The House resumed at 8 p.m.

CONSIDERATION OF BILL 127

(continued)

Resuming the debate on the motion for time allocation of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Speaker: Order, please. Without being provocative in any way, I would just like to remind our visitors that they are not to participate in any of the debate or demonstrate in any way tonight, or I will have no alternative but to clear the gallery.

For the benefit of the members, we are debating the point of order raised by the member for Renfrew North (Mr. Conway). When, in my opinion, the remarks become repetitious, I will cut them off at that point.

We have heard two members from each of the opposition parties. The government House leader indicated that he wanted to speak and I will now recognize him.

Hon. Mr. Wells: Mr. Speaker, I did not expect to be speaking this soon, but I do have my remarks here. I want to speak on this point of order.

As I was listening to the speeches this afternoon—and we are debating a very important matter in this House—I noticed the government of one of our sister provinces, a government I suppose most closely aligned philosophically with the members of the New Democratic Party, at least that is what they claim, a rather socialistic government that has brought in a bill to put the teachers back to work and has indicated that—

Mr. Martel: Don't tell us about Quebec.

An hon. member: We have not heard the red-baiting yet.

Hon. Mr. Wells: I am just saying it is very interesting because the emergency legislation provides that for every day they do not go back to work they lose three years' seniority, and anyone who stops anyone from going to work will be dismissed and fired on the spot with no hearing and no recourse. It is an interesting piece of legislation.

Mr. R. F. Johnston: Mr. Speaker, on a point of order: If the government House leader is asking for unanimous consent of the Legislature to pass a resolution condemning the action of the Quebec government, I would be glad to join him.

Mr. Speaker: I might remind the government House leader, that has nothing to do with the point of order.

Hon. Mr. Wells: Mr. Speaker, I just added that as a little extraneous matter before getting into my major contribution to the debate. I will not take long. I am merely going to talk on the point of order, which is whether or not this motion is in order.

I submit the motion that stands in the name of my colleague the Minister of Education (Miss Stephenson) is indeed in order. It is a motion that is being brought in because a piece of legislation introduced on May 28, 1982, is still being discussed in this House after 96 hours of debate.

I have listened to a lot of discussion about why it has not been debated in the last couple of weeks and why this motion is at present before the House. We have discussed Bill 127 privately. I have always asked the question, "Would you like to arrange some kind of time schedule for it?" I have always received the predictable answer, "No." That is one of the criteria in May and in the federal time allocation motions that has to precede some kind of time allocation.

I have always heard two replies: "If you want to do anything, withdraw the bill," or, "If you bring in the bill, we will be debating it next June." I merely relate these events to indicate the position we find ourselves in.

We are very appreciative of the support that has come from all sides of this House to get the business of the province done, and to pass some important legislation. In this House, we recognize that kind of co-operation is readily obtained when we all see fairly eye to eye on the pieces of legislation.

We may differ on some of the aspects, on some of the details and on some of the wording. We have a give and take on amendments, such as we had last night. My colleague the Minister

of Health (Mr. Grossman) accepted an amendment from the Health critic of the official opposition which improved the title of the bill. It was a worthwhile amendment and the kind of co-operative give and take we carry on with most pieces of legislation.

Mr. Mackenzie: You can't improve the title of a bad bill.

Mr. Martel: You are all heart.

An hon. member: It was only the short title.

8:10 p.m.

Hon. Mr. Wells: No, it was on the short and the long title. We recognize that at certain times there will be pieces of legislation before this House that apparently so philosophically divide us that there is no way after, in this case 96 hours of debate, anyone can see an ending to that particular piece of legislation. I submit it is proper for a government to proceed to bring and place at the wish of the House a particular type of remedy to that situation.

My friend read quite extensively from Erskine May. I do not want to read a lot more and take up the time, but I would like to indicate that in May—perhaps we will go back a little further. As my friend the member for Riverdale (Mr. Renwick) indicated, the present standing orders provide that in all contingencies not provided for in the standing orders, they shall be decided by you, Mr. Speaker. You shall base your decisions on the usage and precedents of the Legislature and parliamentary tradition.

For many years the words “parliamentary tradition” have meant not so much the House of Commons but the House in Westminster. We have relied heavily on Erskine May and the precedents and practices of the House in Westminster.

As my friend the member for Riverdale said, in chapter 20 there are three methods of curtailing debate, the first titled Closure of Debate.” We have all agreed there is provision in our rules for a closure of debate procedure. There is no discussion as to whether that is there, and remains one of the methods. There is a second method in May called the selection of amendments, which as far as I can see is not applicable in this House. The third method suggested by May is the allocation by orders of limits of time for discussion.

I would submit these are three methods that can be used. The first one is covered in our standing orders and, therefore, we do not have to discuss that. The third, which is distinct from

closure or putting the previous question, is the matter of time allocation.

The matter of time allocation is not covered or provided for in our standing orders. Therefore, Mr. Speaker, it rests with you to go back and see the parliamentary traditions where this procedure has been used and see whether our motion fits in with the traditions of Westminster. If our motion fits in with those traditions, I submit the motion we have placed here is proper and in order.

On page 454 of May, the allocation of time orders under that chapter says: “As stated earlier the allocation of limited amounts of time to the stages of bills, and occasionally other kinds of business, forms no part of the general procedure of the House, but is applied in each case to a particular bill or other specified business by a special order.”

Then he says further: “A motion for the allocation of time to a bill sets out in detail some or all of the provisions which are to be made for furthering proceedings of the bill.” He goes on to indicate that formerly in Westminster they had standing order 34, which set out some procedures very much like those the federal House of Commons now has, where, if voluntary timetables could not be arrived at, that motion could be put for time allocation. But back in 1971 that standing order was amended. Now in Westminster there is merely a provision for a motion of time allocation. It states that the discussion of that motion shall be disposed of in not more than three hours.

What this says to me—Mr. Speaker, and I would hope that it says it to you also—is that in Westminster there is a general provision for time allocation, recognizing historically that time allocation is something open to a government from time to time on particular stages of the passage of a bill. There is a provision that it shall be done on an ad hoc basis in Westminster. There is not the same kind of formal mechanism as is found in the standing orders of the House of Commons in Ottawa.

That being the case, and May saying that there are three different kinds of closure, two of which I have talked about, one having been provided for already in our standing orders, I submit that it is quite within your ability as Speaker of this House to rule this motion in order because we are now going beyond our standing orders for a recognized parliamentary procedure, time allocation, which is used in the House of Commons in Ottawa, used in Westminster—not provided for in our standing orders

but the kind of device that governments from time to time must have at their disposal.

Let me further say, that being my first point, that I think it is perfectly consistent with the standing orders of this House and with the practices in other parliaments to pass this kind of motion.

I note with interest that the honourable members who have referred to my remarks during the debate on December 8 have not in any way that I can see refuted them. I just want to repeat them, because I think they are further evidence of the rightness of the procedure. The rightness of the procedure does not mean one has to agree with the procedure. All I am arguing is that there is nothing wrong or in violation of the general rules or procedures of this House that from time to time should be put.

The point I particularly want to make is that we have in fact, by substantive motion duly moved, seconded and placed before this House, from time to time done things that were not provided for in the standing orders. So we have now moved from—

Mr. T. P. Reid: With unanimous consent or three-party consent, usually.

Hon. Mr. Wells: Not with unanimous consent.

Let me read: “By order as a substantive motion of this House completely in order, notice duly given and duly seconded,” is what we are now proceeding to do. We are not doing anything by unanimous consent; we are doing something that I have just indicated is within the parliamentary practices outlined in May, a device open to a government, which we are now asking the members of this House individually and freely to vote on. If a majority of them carry the day, we then establish a procedure exclusively for this particular bill.

Mr. Renwick: You misunderstand the point, though.

Hon. Mr. Wells: No, I do not misunderstand the point. I just do not follow my learned friend the member for Riverdale. I understand his point also, but he and I differ.

At some time also, I think—and I think most members of this House would agree—legislatures have to be relevant to their times. Some of that relevance to their times involves moving ahead with business not in a way that is stifling, as I suggest putting the previous question might be, but in a way we would normally do for most bills but have now become unable to do for Bill 127. For most bills we can work out a timetable; for

Bill 127 we cannot, so we are giving an opportunity to have that timetable worked out.

I would just like to point out some examples of recent precedents for the use of substantive motions with notice to waive rules or authorize a practice not specifically allowed for in the standing orders. First I refer to March 31, 1978, and April 4, 1978. At that time there was no provision in our rules for a nonstatutory report or a report other than an annual report to be referred to a committee.

The government first proposed to send its paper on policy options for tenant protection by way of party agreement, unanimous agreement, and thus by way of a routine motion. The New Democratic Party opposed this at that time. They disagreed with us. They told us it would have to be done, if we wanted it done, in the face of their disagreement—that is, by a substantive motion with debate in this House and a division.

We did make such a motion at that time for that one particular paper only. I point out that we did it for that particular time only. We did not change the rules of the House, and that motion was carried. At that time, we did it by a substantive motion and on division. What this House did was to change something that we had not provided for in the rules. At the same time, we did not create a new standing order.

That, of course, is what we are doing now, and we have the precedent of December 8, 1982. I might just indicate that at that time my friend read my remarks, which were perfectly accurate. I said on Metro Morning, “Oh, no, no. We, of course, are being very careful to say that this is for this bill only.”

8:20 p.m.

Mr. T. P. Reid: And this is for this bill only.

Mr. Speaker: Order.

Hon. Mr. Wells: That is absolutely right.

Mr. T. P. Reid: And tomorrow it will be for just another bill.

Hon. Mr. Wells: The motion we put at that time was for that bill only. Let me add—

Mr. Rae: What is for tomorrow? What is the government going to stifle tomorrow?

Hon. Mr. Wells: I regret that no one has mentioned this and it probably is not proper that it be mentioned, but since it was my paper, I will mention it. My friends know I have already tabled, as one of the kinds of changes I would like to see in the rules, a time allocation rule for this House. That was tabled for discussion with

all of us, in an informal sense, before this motion was considered or put.

Mr. Martel: The government does not have the rule change. That is for discussion.

Hon. Mr. Wells: I know we do not have the rule change. I am just indicating to members—

Mr. Martel: That is for discussion.

Mr. T. P. Reid: How about a rule to abolish the government over there?

Mr. Speaker: Order.

Hon. Mr. Wells:—that I have already tabled this as one of a number of rules we would like to see changed.

Mr. Martel: We are going to discuss it on March 7.

Mr. Rae: That is proof the government does not have it now.

Mr. Speaker: I just want to point out for the benefit of all honourable members that we are discussing the point of order and nothing else.

Hon. Mr. Wells: Mr. Speaker, because I think it is relevant to the point of order, since I have already given one instance where, by substantive motion on division, we changed the standing orders of this House, let me also indicate that on June 17, 1976, a substantive motion was moved to set out a procedure and authority for the Board of Internal Economy which, as we know, is the House equivalent to the Management Board of Cabinet, to set the Ombudsman's estimates after his submission there and to have them submitted to this House. There was no clear provision to do this in the Ombudsman Act and it was silent on the mechanism that could be used.

At that time, in that instance, the Liberal opposition opposed doing that by routine motion, and thus we could not do it by unanimous consent, and they opposed the substantive motion as being invalid, claiming the motion that was being put was invalid and not within the standing orders. As I indicated the last time, if the House wishes, I could search out Vern Singer's very lengthy speech on this matter and read it back, but I decided not to do that tonight. The point is that the House, on majority, with at that time the full support of the New Democratic Party, carried that motion. The minority made its case, but it let the House decide.

The problem in the standing order was that there was no provision for treating a government ministry's estimates differently from nonministry estimates, such as those of the Office of the Ombudsman. The House motion,

when passed, then became that particular authority. The motion was passed on division and, in that case, the authority was put on a permanent basis without a new or permanent standing order being required or adopted.

The point here, with both these examples, is that they use the self-contained and free-standing motion to authorize an action not specifically provided for in the standing orders. They were carried on division in the House; opposed, in one instance, by the New Democratic Party and, in the other, by the Liberal Party. These things were done. They showed that this House does have and must have a procedure short of permanent new standing orders whereby the will of the majority of the members of this House can be authorized to prevail from time to time by way of procedural matters on what becomes a political stalemate. That is precisely where we are.

Mr. Speaker, I hope I have indicated to you why I believe this motion is in order. I think it falls within the prerogatives given to you under standing order 1(b). We have shown there are precedents for this kind of motion which adjusts things not provided for in the standing orders, and I hope you will so find.

Mr. T. P. Reid: Mr. Speaker, after the comments of the Minister of Intergovernmental Affairs (Mr. Wells), I do not know whether anyone on this side has to put up an argument in terms of this point of order. I think he has proved our case. On the two occasions he referred to in the precedents, he said in one situation my friends on my left opposed it and, on the other, this party opposed it. He did not have unanimous consent to change the rules. In any case, he said these were not precedents.

I cannot understand how he can now stand up and say these are the examples on which he is basing his argument when those are the arguments we should use and will use to say this whole motion is out of order.

We have gone back and forth and around the mulberry bush this afternoon. The minister mentioned the time allocation and the time we have dealt with this bill. We have been in session since January 17, yet we have not dealt with this bill in committee or in the House since that time.

On almost every occasion in my 15 or 16 years in this House, the government has brought in any legislation that is at all controversial in the dying moments of the session, in the hope it can

hurry or ram it through and everybody will be happy to escape from this place.

Hon. Mr. Davis: That is not accurate.

Mr. T. P. Reid: That is accurate.

Why did the government wait almost a month and two days before dealing with this bill in the Legislature or in committee? The minister has referred to the 96 hours.

Hon. Mr. Davis: When did we deal with Bill 179?

Mr. T. P. Reid: I say to the Premier (Mr. Davis) most of the time was taken up by the people in these galleries and others in the community who were concerned about the provisions in the bill, about local autonomy and how it is going to affect the education of their children. It was not all taken up, as in Bill 179 for instance, by what some may consider extraneous debate. A good part of it was public hearings.

As the Minister of Intergovernmental Affairs said, I do not intend to be long either, although I have been known on other occasions to be long. I want to take the members back in time to about 1968 when I was a freshman member and was appointed to the then select committee on the standing orders and procedures of the Legislature. Some members opposite will remember Mrs. Ada Pritchard, and my colleagues will remember Elmer Sopha, who were members of a distinguished group that was in place to amend the standing orders.

I believe the rules have been changed three or four times since that time. We have dealt with section 1 of the orders in regard to the precedents and those we would refer to in dealing with matters before the Ontario Legislature. In those days, the standing rules under section 1 made reference to the Mother of Parliaments in Great Britain, then Ottawa, and then the precedents and traditions of the Ontario Legislature.

Since 1968, over a period of some 15 or 16 years, the orders of the House have changed gradually. The first order now reads:

"1(a) The proceedings in the Legislative Assembly of Ontario, and in all committees of the assembly, shall be conducted according to the following standing orders.

"(b) In all contingencies not provided for in the standing orders the question shall be decided by the Speaker or Chairman, and in making his ruling the Speaker or Chairman shall base his decision on the usages and precedents of the Legislature"

In other words, Mr. Speaker, the Ontario

Legislature is paramount in the decision you are called upon to make on this point of order. It says secondly, "and parliamentary tradition." It does not necessarily refer to Erskine May. It does not refer to Ottawa. It does not refer to the British parliamentary system at all. The primary responsibility is on the usages and precedents here in this House.

8:30 p.m.

I will not go through the examples I was going to use, because I believe the House leader for the Conservative Party in this chamber has already proved our case in that respect. One thing that bothers me is that when I sat here in December 1982 and listened to the House leader on that side and the government whip, the member for Mississauga East (Mr. Gregory), invoke closure for the first time in the history of the Ontario Legislature, they assured us—as the government House leader has done tonight—that this was not a precedent.

Mr. Martel: No, they moved a precedent on the budget.

Mr. T. P. Reid: I am sorry, they did move a precedent. In any case, at that time this was not to be a precedent. That was less than three months ago.

I was raised a Roman Catholic. I will never forget those days when the priests and nuns, those very nice people, said to us little boys and girls—

Hon. Mr. Davis: When did the member stop practising?

Mr. Speaker: Never mind the interjections, please.

Mr. T. P. Reid: I would say to the Premier that after sitting on this side I know there has to be a heaven somewhere on this earth, because as long as those people are in power it is pure hell.

Mr. Speaker: Now back to the point of order.

Mr. T. P. Reid: The Premier asked when I quit practising. I quit practising the night I went to the cardinal's dinner and listened as he embraced the Premier and vice versa. That is when my faith was shaken.

Mr. Speaker: As interesting as this may be, I would ask the member to address himself to the point of order, please.

Mr. T. P. Reid: I was talking about precedents, and the precedent set in December 1982 when the government brought in that guillotine motion. I want to draw the analogy with what I was taught as a child, because those good

people taught us that the first sin was the most difficult one. They said that if one ever committed that one with all conscience, that was a bad thing to do, but the second, third, fourth and fifth sins were not quite as serious as that first one.

Hon. Mr. Davis: That is not true. The member's church never taught him that.

Mr. T. P. Reid: The Premier knows more about sin than I. I freely admit it.

Hon. Mr. Davis: I may know more about it but I do not practise it as often as the member does.

Mr. Speaker: Back to the point of order.

Mr. T. P. Reid: I have no idea whether the Premier is father confessor to the rest of his caucus. Perhaps he has been hearing the sins of the member for St. George (Ms. Fish), who says, "Mr. Premier, I cannot support Bill 127, and I am sorry for that." Anyway, we will go on.

Mr. Foulds: What was her penance?

Mr. T. P. Reid: To sit beside the member for Scarborough-Ellesmere (Mr. Robinson) and the member for Brantford (Mr. Gillies).

Mr. Foulds: That is purgatory.

Mr. Speaker: Order.

Mr. T. P. Reid: We have all referred to Erskine May in our various arguments and debates on these points of order. It was the first time I knew it was recognized as the Bible of the Ontario Legislature. I would be glad to hear the Speaker's ruling on that.

Pages 449 through 455 deal with the closure of debate, which my friend from Riverdale (Mr. Renwick) has talked about. I will not go through all of that except to say that on page 449, "Closure of Debate," the second subtitle is "The Ordinary Closure." The ordinary closure refers, under our standing orders, to section 36. I will not bother reading that, sir, because I am sure you are well aware of it. That is the ordinary rule of this Legislature.

It is interesting that people on the opposite side, the Attorney General (Mr. McMurtry) and the Premier on occasion, I believe, have said the courts should not be making rulings dealing with legislation; they should make rulings based on the legislation before them. What it seems to me we are seeing—

Hon. Mr. Davis: The member should quote me accurately. That is not quite right.

Mr. T. P. Reid: It is always hard to tell what the Premier really means. It really is hard.

The first point is that the government is trying

to make procedural rules and precedents out of something that is not in our rules at all. That is the first point.

The second point, Mr. Speaker, refers to your responsibility in this matter. I do not have to explain the history of the Speaker to you, except to say that your position is to guarantee the rights and privileges of all the members of the Legislative Assembly and the people we represent. Over time, your role has evolved to protect the rights of the minority, to see that the minority is heard and, in the vernacular, gets a fair shake.

I put it to you simply, Mr. Speaker, that you have to make a ruling on this point of order put by my colleague the member for Renfrew North. You have to decide if there has been a precedent in this respect. I suggest to you there has not been. This is a new rule, despite the fact that we have had many reports from the procedural affairs committee, we have had discussions among the House leaders and we have had discussions among the chairmen of committees about new changes in the rules. That is the way this place ordinarily functions.

If you accept this new procedure, which does not at this time exist in our standing orders, you will be supporting a very dangerous precedent and an arrogant government.

Mr. Martel: Mr. Speaker, I think you have a tough decision to make because your friends on that side of the House make it tough. But in fact there is no rule. I do not care how the government House leader tries to bring in an example, there is no rule in this Legislature and in our precedents.

One of the difficulties for us—and I am one of those who for some time have been advocating we should have a book with the precedents that we use in Ontario—is that we always have difficulty when we try to look at the precedents. They never seem easy to come by. But let us be perfectly clear, there is no rule in this Legislature which has time allocation built into it in any way, shape or form.

I could not help but be interested this afternoon when I asked the Premier if he was not trying to change legislation by motion, and he said, "No matter whether we use standing order 36"—and he did not give the number—"moving the previous question or this one, you would object to it." Certainly we would. Are we supposed to sit down, roll over and die when a motion comes in that is a closure motion? Certainly we would object, but the government

would have been following the rules that this Legislature has followed for 100 years.

I remind the Premier, I sat on the select committee that recommended no change in the rule. On that committee from the government side were none other than the current whip and Minister without Portfolio; the former Minister of Revenue, the Honourable Lorne Maeck, and the former Speaker, the Honourable Donald Morrow. They all agreed there is nothing we go on with for so long in this House that it necessitates invoking of closure.

If one wants to look at dates, we came back to start the session on March 9, 1981. We left here at the end of June. We came back September 21. We left the third week in December, and we are back for a month now, which is about seven months. This fiscal year runs to the end of March. If we are talking about time, there is no real pressure.

8:40 p.m.

I am amazed at the government's position. In the last week and a half, we on this side and my friend the Liberal House leader (Mr. Nixon) have gone along with many requests by the government to make the place work. We are amazed at the course of action they chose to follow today. In fact, my friend the member for Brant-Oxford-Norfolk (Mr. Nixon) and I have repeatedly asked the government House leader about the government's intention. We could never get anything from him except that the bill was going to be called, no matter how much we tried or how much we worked.

As late as Friday, we allowed new bills to be brought in which the government said were not on its list. I remind my friend of three municipal bills, among them Bill 177. These were not on his priority list, but they now have third reading. Yet we could never get a response from the government House leader as to what they intended to do.

Lo and behold, we do not even bring the bill back into the House before there is a closure motion introduced, one which is not only rewriting the rules but also violating the existing rules. Paragraph 3 of the motion says that we will vote at 2 p.m. on Friday, but the standing rule in this House says we will adjourn at 1 p.m. on Friday. If that is not rewriting the rules and violating the existing rules, I do not know what is.

The Premier shakes his head. I direct him to standing order 2(d), which says, "When the House adjourns on Friday at 1 o'clock p.m." We are building a violation of that particular rule into the amendment without unanimous con-

sent. Maybe the Premier wants to rewrite the rule on when this House adjourns, or maybe he wants to change standing order 2(d). He might tell us which. That is in the motion, and this Legislature, according to the rules we have followed, says we are out at 1 p.m. on Fridays. Is that not a violation of the existing rule? They are simply hammering away at it with their majority. Look at the rule, Mr. Speaker.

Hon. Mr. Davis: Does the member want to go back to 1 p.m.?

Mr. Martel: No. It is the government's motion.

Let us look at another section, the directions to the Speaker. I direct the Premier to that. Since when do motions direct the Speaker as to how he will conduct the business in this House? It is not the government's prerogative to run the affairs of this House and make sure the rules are not violated; it is the Speaker's. Can the government direct the Speaker as to what he is to do? Where do they get off? They say this does not violate the rules. It directs the Speaker, which in my opinion is a slur on him. It is an anticipation of things to come.

I remind the Speaker and the Premier that it was this minister who was so gung ho a year ago to get a bill in covering the Leeds strike. We spent some time debating it. I asked the government House leader not to allow it to come forward. In the event the strike was not resolved down the road somewhere, the government had a piece of legislation in place that would give it the power to do whatever the hell it wanted to do.

It does not operate that way nor should it in a democratic system, because that is intimidation at its worst. But he allowed it because, with a majority, it seems they can ignore everything else. I told the government House leader I considered that a very dangerous piece of legislation.

Carried to its ultimate conclusion, it could be done with every situation. A piece of legislation could be built in to avert something. Here we have a motion which in effect says, "Because we think there will be some extensive debate and we do not want that debate, we are now prepared to invoke closure."

The government is playing around. Both the government House leader and the Premier played around this afternoon on the number of hours we have had on the bill. I recognize the number of hours in committee, but there have been only 10 hours of clause by clause in the House, where members who were not on the committee want to become involved; and 10

hours really is not a long time in the parliamentary system. Ten hours on clause by clause is certainly not a lengthy time in which to pass legislation which the Premier should be worried about because there is so much controversy around it. It is not a bill that has a lot of approval out there.

Mr. Rotenberg: Sure it has.

Mr. Martel: In certain sectors, maybe. I was not a fly on the wall at some of those cabinet meetings but I know there is no unanimity in cabinet on that bill. One minister said to me, "If we knew where the real pressure was coming from we might find it acceptable, but there is not enough pressure to make it worth while."

There is a lot of opposition to the bill. That is why the government should allow debate on clause by clause. Ten hours is not a long time, just three sittings; that is what it boils down to. What if it runs a week? As long as it is moving ahead and clauses are being presented, then I suspect that is the way it should proceed.

I find the situation pretty untenable. We over here have tried to accommodate. We have assisted the government to bring in its legislative programs. We have accepted legislation which was not going to be considered. We allowed the government to operate on a day to day basis, rather than giving full indication of the next week's business, in order to be accommodating. Then out of the blue, without this bill even coming back, the type of accommodation we get is that after three days of debate the government decides it will rewrite the legislation. That just is not good enough.

Mr. Speaker, you cannot allow the government to rewrite the rules of the House in this fashion. A few moments ago, the government House leader said it was one of his proposals in the package we are going to look at. That is right. We have a date to start to look at the process. That indicates the government should not have that right at the present time.

In early March, we are going to meet to consider that proposal along with others, but then there will be trading off. You just do not write one rule to satisfy the government. Having been involved in it, I know that in rewriting the rules there is horse-trading. Everybody tries to get a little. But that is not what the government is doing in this instance. It is rewriting the legislation, now, for the rules. Essentially, that is what it is doing, because it does not have that rule anywhere.

There is a procedure which would allow the government to use standing order 36 any time it

wants to. That is the rule under which this Legislature has operated for 115 years. If the government feels somewhere down the line it is too lengthy or repetitive, then maybe it could get the member for Cochrane North (Mr. Piché) to get up and move the previous question. He is good at it; he had some experience with regard to Bill 179. He could get up and move the appropriate question at the appropriate time.

Until we reach the point where there is no progress being made, I cannot see why the government is attempting to do this. It is not just today; it is when we come back in April. The Premier cannot play around and expect people to co-operate when the government wants out. If he wants the House to go back to Eric Winkler times, then he will allow this sort of manoeuvre to go on.

8:50 p.m.

If the government House leader had said to us a week ago, "Yes, we know what we are doing and we are bringing in closure the first day you get back," then things might have changed and people might have said, "You announce the whole week's business or we will debate this bill at greater length." But we made an effort to co-operate, and then they slid this in on the very first day. They did not even bring it back into the House. In fact, before they get it back in the House, they are introducing a closure motion on a bill that is half done now and has had three sittings for debate in clause by clause in committee of the whole.

How in God's name they expect anyone to try to co-operate to make the place work, I do not know. The most difficult thing for the Speaker, of course, is that they have put him in a position where he has to allow the government to rewrite the rules by some motion. I think it is unfair of them to do that to him. If he rules against them, they can challenge him, and being a man of honour, he probably will say, "You can have your job."

Mr. Nixon: Not necessarily.

Mr. Martel: Not necessarily, but certainly that has happened before. To put the Speaker in that position is untenable. He really has, as I say, no alternative, because there is no rule and the present motion violates the present rules of the House.

Hon. Mr. Davis: It does not violate the rules.

Mr. Martel: What does the Premier mean? It says 1 p.m. in the standing orders and the motion has two o'clock built into it.

Hon. Mr. Davis: If the member wants it to state that we will go at 1 p.m., I have no problem with that.

Mr. Martel: Does the Premier think he should be directing the Speaker?

Hon. Mr. Davis: No.

Mr. Martel: But the motion does. Does the Premier want to reconsider the motion? I suggest he would do us all a service and this Legislature a service if he withdrew the motion and allowed the debate to proceed. If it goes on too long, if he thinks it is not progressing after some meaningful debate, if he wants to bring in closure he can bring it in using the rule this House is governed by.

Mr. Speaker, I suggest to you with the greatest respect, I do not think you have any choice but to rule this motion out of order.

Mr. Speaker: I will hear the two members who have indicated by standing, and then we will come up with a ruling.

Mr. Bradley: Mr. Speaker, I guess even up until yesterday, although the government had indicated on every occasion possible it was going to proceed with Bill 127, we had some flicker of hope that perhaps after the Premier's conversations with the parents who met with him on Wednesday, after the minister's conversations with various people who are opposed to this bill, after various members of the government caucus had been discussing the matter of Bill 127 with their constituents and with others interested in the bill, the government might take the step of withdrawing the legislation and of discussing, once again, the educational issues that are confronting Metropolitan Toronto.

We have had instead, to my disappointment, and I must say quite frankly to my surprise, a time allocation motion introduced at the same time as the bill reappeared for the consideration of this House. This afternoon I directed a question to the Premier, who I understand is committed to the bill and the passage of the bill, about my own concern that rather than allowing the bill to come forward for consideration in what I call this special session—I know if we want to get technical about it it is an extension of the fall session; I recognize that—we have had this bill held to what the government members would consider to be the end of this special session, instead of its being introduced with the government watching how the debate would flow, whether it was going to take too long, whether in the government's judgement there was to be an obstruction of its right to

proceed with the legislation, so that at that time a determination would have been made to invoke closure of the kind the House leader of the New Democratic Party has described, that which is already in our rules.

I recognize that is more embarrassing to the government because it would likely mean this form of closure would have to be invoked several times as we went through the various sections of the bill. That would be embarrassing. It would perhaps prolong proceedings for a greater period of time than would suit the members of the governing party. Nevertheless, if they were intent upon imposing closure, it would have been the preferable method of doing so.

My disappointment is that this motion came forward at this time, before the bill was allowed further consideration in the House. Members may recall that throughout consideration of this bill, from the day the Minister of Education first introduced it, which I think was May 28, 1982—I recall the day because I had asked the minister in the House that day if she would give an undertaking to the House that she would not introduce legislation of the kind she did, and she did not give that indication but stood later in the day to introduce this bill—since the introduction of that bill the government members have used the majority they won in the last election, with 44 per cent of the less than 60 per cent of the people who went to the polls, but that is our electoral system and I accept that those are the rules we work by—

Interjection.

Mr. Bradley: When the Premier interjects I say that only because, given the way the Premier governs in this House on many occasions, one would think that his plurality gained, in terms of the votes accumulated by his party, was such that he had received some kind of endorsement, around 60 or 70 per cent of the electorate.

I think it is always wise to remind the governing side that they received 44 per cent of the vote and the opposition parties combined received the rest of the vote. It is a clear indication that there are a lot of people who are unhappy with the kind of government they have had over the past several years and what they would anticipate in the future. But I do not want to get into that specifically, because I know you want to keep me on the point of order, Mr. Speaker.

I recall that when this bill went to committee there was an effort to gain some public input. It was an unorthodox procedure, but before we went to a further stage the minister rejected that

particular option. We indicated that we wanted the hearings to take place in September. The minister indicated it was her preference to have the hearings in July. She agreed with the opposition because the government was interested in getting out and was not interested in further debate at that time, so the government acquiesced in the viewpoint put forward by the opposition. We had the hearings in September.

The minister will recall that on October 6 I asked the committee to allow time for further consideration of the representations made by the public, whether they be the parents, the teachers or others interested in this bill. The government used its majority at that time to reject this option. Time and again—

Mr. Speaker: Could I remind the honourable member to speak to the point of order, please?

Mr. Bradley: Yes. I am outlining my opposition to this motion and indicating my support for the point of order that is being put forward.

Ms. Copps: It is on the procedure.

Mr. Speaker: Order.

Mr. Conway: The government House leader was talking about Quebec legislation.

Mr. Speaker: Order.

Mr. Bradley: I did not want to comment on the government House leader's comment on the Quebec legislation because I knew it had nothing to do with the motion, so I thought it would be wise to confine my remarks to this legislation.

9 p.m.

The bill came back to the House. I guess one of the reasons it came back to committee of the whole House is that the minister, having allowed a rather significant amendment in committee, reneged on that amendment at the end of the standing committee on general government stage. It came back into the House and that is where we left off in the debate. One can understand why members of the opposition were speaking at some length on that aspect of the bill, the minister having reversed herself on an amendment she had previously permitted.

We proceeded into December. At that time, the government chose on certain days to have this bill come forward. It decided to give up proceeding with it in December, and that we would come back in a new session—

Interjection.

Mr. Bradley: Okay, an extension of the session; the first minister wants to be technical and I agree we want to be precise.

We came back in an extension of the fall

session fully expecting that the government would be bringing forward Bill 127, since it had indicated it was a priority. It did not do so.

As I indicated at the beginning of my remarks I still hoped the government had listened to the grass roots. I hoped those members of the cabinet who were opposed to the bill and those members of the caucus who had been listening to the grass roots in their ridings understood the opposition was valid. I still held the hope they understood there was merit in the suggestion the bill be allowed to die on the Order Paper so the process of consultation could begin anew.

Instead, it was announced last night that a time allocation motion would be imposed today. It is unfortunate the others in cabinet have not been able to persuade this minister not to proceed in this fashion. It is significant, for instance, that the Minister of Education is the person presenting this motion instead of the government House leader doing so. We might have suspected that would be the case. There is significance in that. In the fall session under Bill 179 the Treasurer (Mr. F. S. Miller) did not present the motion, so if there was a procedural motion one would have anticipated it would have come from the House leader.

I feel the government would have been much wiser to have adopted a different course of action. I think it is blocking the democratic process; that is a mild word to use. I am certain we have a bill which is not particularly significant to the future of the province as far as that government is concerned. If it were a bill that affected the entire province directly at this time, if it were a priority bill with the government, one might not accept that closure was to be imposed but at least would understand it.

It is a mystery to many of us in the opposition that the Minister of Education has in essence, in our view, dragged many members of the government unwillingly—

Mr. Nixon: Kicking and screaming.

Mr. Bradley: "Kicking and screaming," our House leader says. I will not use the other terminology because the minister—Mr. Speaker, I hope you will permit this slight diversion—indicated that if I mentioned one more time that the cabinet ministers had bruises and bleeding ankles she would come over and kick my shins personally.

Mr. Speaker: Now back to the point of order.

Mr. Bradley: Knowing her power on that side, I decided I would not risk that. I implore the government to reconsider this motion. I ask the

members of the government who are in disagreement with this bill to continue to indicate that disagreement to the minister.

I think the Premier is an astute politician. One would agree with that even if we disagree with his policies or perhaps his style from time to time. We at least concede—grudgingly—that he is an astute politician. I ask that he recognize the lack of wisdom of proceeding with a motion of this kind. It clearly stamps his government as one that is prepared to bulldoze legislation, —important and less important—through this House. If one were to list the important bills that have come before this House according to whether the government would rise or fall because of them, in my view this would rank well down the list.

I ask the minister to start the process of consultation again. I ask her to withdraw this motion, and if the government does not see fit to withdraw it, I ask the Speaker to rule it out of order.

Mr. R. F. Johnston: Mr. Speaker, this has been a great day for democracy, with the Premier's statements and his attitude on the cruise missile earlier on and now Bill 127—

Hon. Mr. Davis: I never mentioned missiles.

Mr. McClellan: Oh yes you did.

Mr. R. F. Johnston: Come back in, and—

Hon. Mr. Davis: Quote me accurately.

Mr. R. F. Johnston: I am not going to quote the Premier accurately when he distorted us so much. He can look after that himself some time.

Hon. Mr. Davis: The member is sensitive. He is embarrassed by this afternoon's performance.

Mr. R. F. Johnston: I am embarrassed by the Premier's statements, just because he is after the leadership of the federal party.

Interjections.

Mr. Speaker: Now to the point of order, please.

Mr. R. F. Johnston: I am just trying to keep myself calm.

Hon. Mr. Timbrell: Why start now?

Mr. R. F. Johnston: True.

I would like to appeal to you, Mr. Speaker, if I might, after the Clerk has finished—

Interjections.

Mr. Speaker: Order. The member for Scarborough West.

Mr. R. F. Johnston: Do I have your attention, Mr. Speaker?

Mr. Speaker: You surely do.

Mr. R. F. Johnston: It is yours I want. I am not really interested in theirs.

Mr. Speaker: All right. Speak to me.

Mr. R. F. Johnston: Mr. Speaker, I would like to appeal to you today to look at whether this motion is in order in view of all the things that have been said. There have been many arguments made by Liberal members for this being out of order, by members of my own party, by the government House leader, and now perhaps by the Clerk.

I would like to appeal primarily to your responsibility to protect the minority in this Legislature. There is a certain irony involved in this. Tonight we have to call upon you, unnecessarily, to protect the minority's right in this House to debate, oppose and criticize government action on a bill which is also suppressing a minority in Toronto. It is a personal vendetta by the Minister of Education.

The importance of this bill to those of us who represent ridings in Metropolitan Toronto must be taken into consideration when one considers the question of our rights as a minority in this House. To those of us who represent ridings in Metropolitan Toronto, this is not just another bill. This is not just the Paul Godfrey bill to revise the Canadian National Exhibition board which we discussed last night. This is a bill which can threaten the very quality of education in Metropolitan Toronto. Therefore it is of concern to us as legislators who represent parents, teachers and children who deserve to have the highest quality of education in Ontario.

Given this bill's importance, we have not had the opportunity to debate it, to try to convince the government to amend it, to bring all the pressure to bear that a good and true opposition party should put on a government when it is in fundamental opposition to a bill. We have heard the government House leader and others speak about 96 hours of debate. Debate is a misnomer. Please listen very carefully to those of us who have said that most of that was in public hearing. Only about 10 to 12 hours were spent in actual debate in this House.

At those public hearings, it should be noted as a footnote, the vast majority of depositions were opposed to this bill. We have not had our chance to take information that has come from that committee and discuss it in the House, to express the strength of that opposition and the fervour of our opposition to this bill as individual members representing ridings in Metropolitan Toronto.

9:10 p.m.

I remind the Speaker that this bill has not been brought before this Legislature since November 23. We were out of this place for a week or two over Christmas—maybe three, I cannot remember exactly—but we have been back here since the beginning of January and there has been no attempt—

Mr. Robinson: January 17.

Mr. R. F. Johnston: It seems like longer than that, given the quality of the bills we have had to deal with.

Interjection.

Mr. R. F. Johnston: I presume, if the Minister of the Environment (Mr. Norton) wishes to heckle me, he will heckle me from his own seat. God knows we have been through this before, Mr. Speaker.

Since we have been back, the government has made no attempt to bring forward this legislation, and there have been many opportunities. Under the standing orders, we can sit on Wednesdays. If the government was serious about this being an important bill it wanted to put through, why did it not request of the opposition parties that we sit every Wednesday to discuss this bill? It is a regular sitting day. We were here. There would have been no opposition. We would have welcomed the chance to be able to raise our voices against this bill.

Mr. Foulds: They were busy debating in cabinet on Wednesdays.

Mr. R. F. Johnston: I suppose that might have been the problem. I hope that interjection got through to the Speaker. That might be one thing I have overlooked, that they were busy debating in cabinet and the battles were so severe there the minister was not in shape to face the House afterwards.

Mr. Speaker: I would not know.

Mr. R. F. Johnston: Mr. Speaker, do you know of any precedents at all, in any House, for a time allocation motion being brought before a legislature when the bill it refers to has not been brought before that legislature or that parliament for this length of time? Surely that is totally irregular. Surely there are no precedents for that.

We know very well, and the government knows very well, that in putting forward this kind of a motion, rather than going through the normal process of closure, it is effectively restricting our capacity to have any kind of debate on this bill during the next couple of

days, because we are being limited essentially to a couple of days.

The government knows that when it brings in something we will consider offensive to the standing rules and regular operation of this place—and it knows we will consider it thus—we are going to debate its relevance or whether it is in order. Then we are going to fight the resolution itself, and we are going to be left with very little time to deal with the substance of the bill. The government will say, “Oh, that is your choice;” it is our choice just to kowtow to the government. The minority here has a right not to have to kowtow to the will of the majority, and I suggest it is your responsibility, Mr. Speaker, to make sure we are not put in that position.

I would like to go back to the kinds of closure that can be brought in, because there is a matter that has been overlooked. There are three kinds, as the Speaker has been made aware by a number of members. There is the ordinary closure, and I want to emphasize the word “ordinary.” In other words, if one looks at the other two, the selection of amendments, it is considered by May to be “a power which has proved too drastic,” a dangerous power, an extreme power.

On time allocation, he states that these kinds of motions “may be regarded as the extreme limit to which procedure goes in affirming the rights of the majority at the expense of the minorities of the House.” So it seems to me there has to be a dramatic rationalization of why this is necessary. I suggest that is even more important, given the fact that in our standing orders there is no provision anywhere for time allocation. The Speaker has to determine what is so extraordinary, so extreme, about the situation in which the government finds itself on this bill that we cannot go through the normal process or ordinary closure, if it wants to beat down a minority.

What is it that is so extreme? We have not had a chance to oppose. There may have been debate by House leaders about how long we keep this thing going, but we all know that House leaders’ meetings are three quarters bluff and one quarter action; at least, that has been my impression. Certainly, the government cannot anticipate what our House leader will ever do, or what our caucus will approve of our House leader’s doing: so much for any trips to Quebec that I might have been planning.

Even under ordinary closure, Mr. Speaker, you have a responsibility to protect the minori-

ty. I will read that part again: "The ordinary closure which ends a debate by securing the immediate putting of the question under discussion can be initiated by a single member but requires that not less than 100 must vote. The rights of the minority are protected by the discretionary power which is given to the chair (and is frequently exercised)."

Even in regular closure, Mr. Speaker, you have the right, a right that is frequently exercised, to intercede on our behalf as a minority. Maybe the government can rationalize it at the point of bringing in ordinary closure, but I would argue against it. There is no way it can argue this is an extraordinary case and that somehow it has been spending all the time of this session fighting for this bill, because we have not had a chance to fight. It does not know what we are going to do and it should not be able to anticipate us.

Mr. Speaker, you should not allow it to put into your mouth—essentially by this resolution, if you approve it as being an order—what our motives are and what we intend to do. It surely is not your role to define how we are going to respond.

Mr. Rotenberg: The members over there have told us already.

Mr. R. F. Johnston: But they have told us many things as well, Mr. Speaker.

Mr. Martel: They told us we were going to have an agreement on 179. They broke that promise.

Mr. Speaker: Never mind the interjections.

Mr. R. F. Johnston: We know about agreements in this House. I do not think it behooves me to get into a discussion with the member for Wilson Heights (Mr. Rotenberg)—

Mr. Laughren: It never does.

Mr. R. F. Johnston: That is too true.

Mr. Breaugh: My colleague should not sink that low.

Mr. R. F. Johnston: As to agreements which have been made and agreements which have been broken, such as that regarding Bill 179, which has been brought forward—

Mr. Sargent: Time.

Mr. R. F. Johnston: I suggest to the member for Grey-Bruce (Mr. Sargent) that this bill is also important to him because it is the thin edge of the wedge.

Mr. Speaker: Never mind the interjections.

Mr. R. F. Johnston: Mr. Speaker, I would like

you also to consider the technical point—I am not very good at these technical kinds of things—about the approach made in this government motion. Although we approved the government House leader's speaking to the motion, I would remind you that this extraordinary time allocation motion is being brought forward by the Minister of Education. I would like to know, if I cannot find it in Erskine May, if there is anything that suggests this kind of closure motion.

Interjections.

Mr. R. F. Johnston: With this kind of cackling from my own ranks it is impossible to continue.

Mr. Stokes: It is that corporate mentality.

Mr. Speaker: Persevere.

Mr. R. F. Johnston: Thank you, Mr. Speaker. Is there a precedent for this from some member other than the government House leader on behalf of the government? If so, why is that member not speaking to it? Why is she being so quiet tonight?

Interjections.

Mr. R. F. Johnston: Mr. Speaker, I want to ask you also to consider one point made by our House leader and by one other member, I believe, in terms of the admitted statements by the House leader of the government party that he has tried to bring time allocation on bills into the discussion of rule changes in this House.

It seems to me, Mr. Speaker, when you hear that admission by the House leader, you cannot avoid the recognition that that is not in our regular procedures, that it is not in our rules at the moment. Even if the government wishes it to be so, it is not the case now. For you, Mr. Speaker, to act in support of that at this time would be an error, in my view, in that you would be supporting something that is not being considered by the whole House, which is not being adopted unanimously by the whole House, and is a change to our orders.

9:20 p.m.

To conclude, this bill has a major emotional impact on many of us, especially those of us who represent ridings in Metropolitan Toronto. It has a major impact on the people who are in the galleries today, many people who cannot get into the galleries today because there is no room, and people around Metropolitan Toronto who understand what the ramifications of this bill could be.

People are less and less for it even in areas like that of the member for Wilson Heights and

mine. There are fewer members on his board of education now who are in favour of this bill than there were before. There are fewer even on the Scarborough Board of Education, I would suggest, and the ones who are supporting it in Scarborough and who supported reopening of debate the other night are not New Democrats.

Mr. Rotenberg: You stuck a couple of NDPers in there, that is why.

Mr. Speaker: Never mind the interjections. The member will speak to me, please.

Mr. R. F. Johnston: We have not had an opportunity to speak on behalf of the thousands of people in Metro Toronto who are offended by this legislation. We deserve that right.

Mr. Rotenberg: You find me a thousand.

Mr. Speaker: Order.

Mr. R. F. Johnston: The member for Wilson Heights obviously does not like teachers and does not like parents.

Mr. Rotenberg: I love teachers.

Mr. Speaker: That has nothing to do with the point of order, please.

Mr. R. F. Johnston: Mr. Speaker, we as a minority in this House who oppose this deserve the right to speak on their behalf—not for two days as things wrap up, but for as long as we feel is necessary, or for as long as you feel we have to take, as long as it takes to express our point of view. We have not had that chance, we deserve that chance. You have to rule, I implore you, that this is out of order.

Mr. Speaker: This is probably going to take as long to read it as it has to listen to it.

An hon. member: Did you write it, Mr. Speaker?

Mr. Speaker: Yes.

The point of order was raised by the member for Renfrew North (Mr. Conway), and was joined in by the member for York South (Mr. Rae), the member for Brant-Oxford-Norfolk (Mr. Nixon), the member for Renwick, sorry, Riverdale (Mr. Renwick),—

Interjections.

Mr. Speaker: Maybe I was right the first time. The government House leader (Mr. Wells), the member for Rainy River (Mr. T. P. Reid), the member for Sudbury East (Mr. Martel), the member for St. Catharines (Mr. Bradley), and the member for Scarborough West (Mr. R. F. Johnston).

I might say, as a general observation, members went far beyond the point of order in

expressing various points of view in speaking in terms of the legislation rather than the point of order. They referred, in many ways, to what they perceived as my responsibilities.

I think it is fair to say the only matter I can deal with, in fact am empowered to deal with, is whether the motion as presented is in order. That was the objection raised originally by the member for Renfrew North.

I have listened, quite obviously with a great deal of attention, to the arguments for and against the proposition that the motion was not in order. I think it is fair to say the arguments in support of the proposition that it is out of order amount to this: As our standing orders do not specifically make provision for such procedures it means that it cannot be properly entertained. I think that was the message that came across.

Mr. T.P. Reid: Plus the fact our standing orders do provide a procedure.

An hon. member: That's the only one you've attacked eh?

Mr. Speaker: No, that is just for openers.

I think the member for Riverdale (Mr. Renwick) effectively refuted his argument in his reference to Erskine May's Parliamentary Practice. One of the citations he used is at the top of page 454 of the 19th edition, the most recent edition, of May's text. It states, "The allocation of limited amounts of time to the stages of bills, and occasionally other kinds of business, forms no part of the general procedure of the House, but is applied in each case to a particular bill, or several bills jointly, or other specified business by a special order."

It is such a special order that this motion seeks. I have carefully examined the citations in May during the dinner hour and I find that, as the honourable member has pointed out, there was no precedent in the British standing orders for this procedure at the time it was first used. Not only that, but the first standing order relevant to the procedure, to the best information I could find, was passed in 1967. It was the same as the present rule of the House of Commons of Canada. However, after it was used only three times, it was redrafted in 1971 to the present form as we know it today and referred to as standing order 44.

Even today, standing order 44 does not provide for this procedure. It simply curtails the debate on such a motion. Standing order 43 makes provision for the business committee to divide the allotted time and how it is to be allocated if this has not been done by the motion

itself. In other words, the standing orders recognize the existence of the procedure and lay down the mechanics for its application.

Another point that was made was the contention that the government notice of motion 10 last December was the first time an allocation motion had been moved in this House. This point was made by various members—I think it was first raised by the member for Renfrew North and then again by the member for York South and others.

It is true that was the first occasion on which such an allocation of time was moved for the procedures in the House. However there have been many occasions on which the House by its order has imposed time limits on consideration of bills and other business in standing and select committees. I see no difference in principle between the two.

Mr. Martel: That was by agreement. There is a big difference.

Mr. Speaker: I have no knowledge of that, my friend.

I refer again to the submissions of the member for Riverdale. He set out three conditions from May's text—this was referred to as well by other members—to which he alleged I must direct my mind in deciding whether or not this is in order. I would suggest these three conditions are conditions the government must address its mind to in deciding whether or not to make use of this procedure—not the Speaker.

My responsibility, as I said before, is simply to decide whether or not there is anything in our standing orders or precedents to preclude such a motion, and I can find no such provision. It is a recognized parliamentary procedure in the United Kingdom and our own House of Commons as well as most other parliamentary jurisdictions. It is a motion the minister has the right to move upon proper notice, and I am unable to find any basis on which it should be treated in a different way from any other substantive motion.

9:30 p.m.

Mr. Martel: It violates the rules.

Mr. Speaker: In fact, it does not.

Mr. Martel: It does.

Mr. Speaker: I am not going to debate it. The point of order raised by the member for Renfrew North is out of order.

Mr. Conway: On a point of order, Mr. Speaker: Because the issue is so important, the precedent so threatening, the procedure so

wrong and the decision so airy, I have no choice but to appeal the ruling.

10:14 p.m.

The House divided on the Speaker's ruling, which was sustained on the following vote:

Ayes

Andrewes, Ashe, Baetz, Barlow, Bennett, Birch, Brandt, Cousens, Cureatz, Davis, Dean, Drea, Eaton, Elgie, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Harris, Havrot, Henderson, Hennessy, Hodgson, Johnson, J. M., Jones, Kells, Kennedy, Kerr, Kolyn, Lane, Leluk;

MacQuarrie, McCaffrey, McCague, McLean, McMurtry, McNeil, Miller, F. S., Mitchell, Norton, Piché, Pollock, Pope, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, G. W., Taylor, J. A., Timbrell, Treleaven, Villeneuve, Walker, Watson, Welch, Wells, Williams, Wiseman, Yakabuski.

Nays

Allen, Boudria, Bradley, Breaugh, Breithaupt, Bryden, Cassidy, Charlton, Conway, Copps, Cunningham, Di Santo, Edighoffer, Elston, Epp, Foulds, Grande, Haggerty, Johnston, R. F., Kerrio, Laughren, Lupusella;

Mackenzie, Martel, McClellan, McGuigan, McKessock, Miller, G. I., Newman, Nixon, O'Neil, Peterson, Philip, Rae, Reed, J. A., Reid, T. P., Renwick, Riddell, Ruprecht, Ruston, Samis, Sargent, Spensieri, Stokes, Swart, Van Horne, Wrye.

Ayes 67; nays 47.

Hon. Miss Stephenson: Mr. Speaker, I wish to speak to the resolution that is now before the House, if I may. As you know, Bill 127 was introduced on May 28, 1982. It was introduced as a result of repeated requests from the Metropolitan Toronto School Board and boards of education in York, in Scarborough, in North York, in Etobicoke and in East York.

[Interruption]

Mr. Speaker: Order. I will caution our visitors. They are not to participate in any way in any demonstration. Otherwise, I will have to ask them to leave.

Mr. R. F. Johnston: Mr. Speaker, on a point of order: It may just be that, besides being offended by the minister, they are offended by your ruling tonight and—

Mr. Speaker: That is not a point of order. The member is totally out of order.

Mr. R. F. Johnston: I am right. Have you ever been wrong?

Mr. Speaker: Be careful.

10:20 p.m.

Hon. Miss Stephenson: I believe the principles that are contained in Bill 127, the principles of equal access to education, equal opportunity for education and the equitable distribution of financial resources for education throughout Metropolitan Toronto, are logical, rational and required in a community that has many more similarities than it has differences.

Interjections.

Hon. Mr. Davis: Oh, come on.

Mr. Mackenzie: What do you mean "come on"? We have seen it over there all day.

Mr. Speaker: Order. I think if you had the opportunity to review some of the things that were said during the previous discussion, you would find it very difficult.

Hon. Miss Stephenson: Bill 127 is legislation designed to re-establish those important central principles that appear to have been severely eroded in recent years, the principles of co-operation and sharing, upon which the metropolitan form of governance of the school system in this area is established.

In the past several months—in fact, since last May—as all members are aware, many words have been spoken, some might even say much has been spilled, in relation to Bill 127. Since last May we have had approximately 97 hours of House time consumed by examination of Bill 127 in the House and in the standing committee on general government.

Interjections.

Mr. Speaker: Order.

Hon. Miss Stephenson: In fact, approximately 66 hours were expended in the general government committee. About 14 of those related to clause by clause examination of the bill. All points of view in that other period of time, for and against Bill 127, have been heard and, I might say, heard many times over.

I have listened very carefully to all of these points of view. It may interest members to know that 109 presentations were made to the committee, and they were made by boards of education, members of teachers' federations, trustee groups, parent groups, community organizations and individual ratepayers or simply interested citizens. In all, 143 briefs were submitted to the committee and each one of those briefs was read, analysed and deeply appreciated.

There was a great deal of listening and consultation through all of that period, and this process has brought us to this point in the debate.

I should like members of the House to know I have met in public and in private with ratepayers, teachers individually and in groups, school trustees, school board representatives and their officials, representatives of teachers' federations and again individual ratepayers. I think members should know as well that the Premier (Mr. Davis) and members of our caucus have also met with many groups. The Premier has met and consulted with many people who have expressed concern and interest regarding Bill 127. This is also particularly true of those members who represent ridings in Metropolitan Toronto.

Interjections.

Mr. Speaker: Order.

Hon. Miss Stephenson: It has been a lengthy and a full consultation. We have had a great deal of opportunity to hear the concerns expressed, many of them in relatively repetitious form, about the principles of the bill. We are not debating those principles at this point. We are attempting to get into clause by clause debate in the committee of the whole in order that we may address the remainder of Bill 127.

I believe it would be most appropriate if in the early hours of tomorrow we could proceed with that debate. I would like the honourable members to know that, because of the circumstances which have militated against frequent experiences of debate of this bill in the House, experiences related to other bills which were essential in the government's view, we will now be debating this bill in the year 1983. Therefore, it would be—

Mr. Conway: A little bit of the truth for a change.

Hon. Mr. Davis: Don't be impudent.

Mr. Foulds: Don't be so condescending. You may be the Premier but you don't run this place.

Mr. Cassidy: Why don't you pull her back?

Mr. Foulds: Just a little fairness once in a while would not go astray.

Mr. Speaker: Order, please.

Hon. Miss Stephenson: Because of the fact we are now debating this bill in 1983 rather than 1982, I propose we amend the portion related to the discretionary levy from the assessment level of 1982 to the assessment level of 1983. I hope the members opposite will agree we might debate that amendment without too much diffi-

culty within the next two days. I would also like to assure the members that specific item will be reviewed on a biennial basis with a view to examining its adequacy and appropriateness.

On other occasions, I have said I believe Bill 127 will serve to bring the community closer together rather than permit it to continue to drift apart in terms of the governance of the school system, as it seems to have been doing in the past several years. Above all, I believe this bill really will serve the best interests of the children in Metropolitan Toronto. I hope the honourable members will see fit to pass the resolution with some speed so we might complete debate on this important bill.

Mr. Conway: Mr. Speaker, I listened with great interest to the Minister of Education. As has been noted opposite, I did get angry and perhaps I might get angry again during the course of the next little while in so far as this debate is concerned.

I rose earlier because I am deeply concerned about what is happening to this place as a so-called parliament. Mr. Speaker, you know that for the past number of months some of us have been frustrated, and I have made no secret of my frustration in so far as what has been going on in this place is concerned.

This second time allocation debate in the past two and a half months has exacerbated the situation. Mr. Speaker, I think it is fair to say your ruling does not inspire confidence in many on this side of the House. Quite frankly, it frustrates and angers me. I do not doubt there is a case for what the government is proposing in terms of its unilateral rewriting of the rules and traditions of this parliament of ours, but I did

not hear it from the government House leader tonight and I was struck by the airiness of the Speaker's ruling.

The Minister of Intergovernmental Affairs (Mr. Wells), the government House leader, says I was not listening. I have to say that I have listened to him very carefully and I have believed him in the past.

Mr. Speaker: I would draw the member's attention to the clock.

Mr. Conway: As I conclude my remarks tonight, which will be continued tomorrow, it is with genuine disappointment that I say to the House leader I will not make the mistake again of believing him, because quite frankly he—partly I suppose at the insistence of the Minister of Education, whose battling in so far as Bill 127 is well known—has clearly misled me and I believe misled the community at large with his earlier undertakings with respect to time allocation.

Mr. Speaker: Order. The honourable member knows he cannot use language like that, accusing another member. I would ask him to withdraw that remark please.

Mr. Conway: I will. I have no choice but to withdraw that and I do withdraw it, sir. I withdraw it because I do have respect for the rules of this place.

Mr. Speaker: Thank you.

Mr. Conway: As I resume my place tonight, I want to tell you, we have not done this place, its past and its present any service with this motion 11 tonight. On that note, I would adjourn the debate to resume it tomorrow.

The House adjourned at 10:33 p.m.

CONTENTS

Tuesday, February 15, 1983

Government motion

Consideration of Bill 127, resolution 11, Miss Stephenson, Mr. Wells, Mr. T. P. Reid, Mr. Martel, Mr. Bradley, Mr. R. F. Johnston, Mr. Conway, adjourned. 7665

Other business

Adjournment. 7681

SPEAKERS IN THIS ISSUE

Bradley, J. J. (St. Catharines L)
 Breagh, M. J. (Oshawa NDP)
 Breithaupt, J. R. (Kitchener L)
 Conway, S. G. (Renfrew North L)
 Copps, S. M. (Hamilton Centre L)
 Davis, Hon. W. G., Premier (Brampton PC)
 Foulds, J. F. (Port Arthur NDP)
 Johnston, R. F. (Scarborough West NDP)
 Laughren, F. (Nickel Belt NDP)
 Mackenzie, R. W. (Hamilton East NDP)
 Martel, E. W. (Sudbury East NDP)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Rae, R. K. (York South NDP)
 Reid, T. P. (Rainy River L-Lab.)
 Renwick, J. A. (Riverdale NDP)
 Robinson, A. M. (Scarborough-Ellesmere PC)
 Rotenberg, D. (Wilson Heights PC)
 Sargent, E. C. (Grey-Bruce L)
 Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
 Stokes, J. E. (Lake Nipigon NDP)
 Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
 Turner, Hon. J. M., Speaker (Peterborough PC)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs PC)



No. 214

Legislature of Ontario Debates

Official Report (Hansard)



Second Session, Thirty-Second Parliament
Wednesday, February 16, 1983

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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LEGISLATURE OF ONTARIO

Wednesday, February 16, 1983

The House met at 2 p.m.

Prayers.

CORRECTION OF RECORD

Mr. Conway: On a point of order, Mr. Speaker: I would like to correct the record. Page 36 of the Instant Hansard for the evening of February 15, 1983, refers to remarks made by me as follows:

"On a point of order, Mr. Speaker: Because the issue is so important, the precedent so threatening, the procedure so wrong and the decision so erring" That is a misprint. What I said was "airy," and I would ask Hansard to take note of that correction.

MEMBERS' REMARKS

Mr. Swart: On a point of privilege, Mr. Speaker: I would like to direct your attention to yesterday's Hansard and ask you to examine whether the comments made by the member for Huron-Middlesex (Mr. Riddell) fall within acceptable parliamentary language in describing another member when he said, "Again I have to say that the member for Welland-Thorold tripped over the truth."

On the same point of privilege but a different dimension, because of his comments I would ask you to check pages 4135 to 4141 of Hansard for October 8, 1982, where you will find his argument that it is necessary to have a "restrictive monetary policy," "anti-inflationary monetary policy" and "high interest rates to fight inflation." Nowhere does he say these should not apply to farmers.

I will just make two quotes from Hansard.

The member for Huron-Middlesex said: "Thus the term 'anti-inflationary monetary policy' should be understood as a euphemism for restricting demand, rising interest rates and rising unemployment. The cutting edge of an anti-inflationary, restrictive monetary policy is a large pool of unemployed workers who will increase the competition for jobs and thereby restrain wage and price increases."

He concluded his remarks by saying: "In the public sector, there are two methods available to fight inflation. One which I have already alluded to is monetary restraint. The other,

which I want to deal with briefly, is fiscal restraint."

Mr. Speaker, I hope you will look at the whole four pages and I will send you a marked copy.

Mr. Bradley: Mr. Speaker, on a point of order: My point relates to an announcement made outside the House yesterday by the Minister of Colleges and Universities (Miss Stephenson) in regard to the funding for colleges and universities in this province.

Ordinarily, for many ministers it has been the normal course of action to rise in the House and make a specific announcement. I do not recall that announcement being made in the House and I hope she will do so for the general legislative grants to elementary and secondary schools.

Mr. Speaker: Order. I have to remind the member for St. Catharines that is not a point of order. It may be a matter of courtesy, but there is nothing out of order.

Mr. Rae: Mr. Speaker, on a point of order: Following the exchange I had with the Premier (Mr. Davis) yesterday, I want to report to the House that I have had a conversation with General Andropov and I want to indicate to the House and to the Premier that General Andropov indicated his strong approval for the Premier's statements yesterday with respect to Bill 127. I also want to indicate that in particular he expressed approval with respect to the government's policies on closure.

I also want to note for the record that Mr. Walter McLean, the Conservative member for Waterloo; Mr. Paul McRae, the Liberal member for Thunder Bay-Atikokan, and Mr. Douglas Roche, the Conservative member for Edmonton South, have indicated their opposition to the cruise missile testing in a report to the House of Commons—

Mr. Speaker: Order, please. I did not hear a point of order and therefore I have to remind the honourable member he is out of order.

ORAL QUESTIONS

Mr. Speaker: The member for Rainy River (Mr. T. P. Reid).

Mr. Rotenberg: Reid for leader.

Mr. T. P. Reid: Thank you. Send money.

SKILLS TRAINING

Mr. T. P. Reid: Mr. Speaker, I have a question for the Minister of Colleges and Universities concerning manpower training programs.

It is one of the ironies of our times that while well over half a million Ontarians are unable to find work, certain skilled labour positions go unfilled or must be filled by imported labour. As the minister well knows, this problem is going to become more acute in the immediate future. The Ontario Manpower Commission estimates that by 1986 there may be a shortage of as many as 45,000 skilled workers in Ontario.

With so much excess labour and a severe shortage of skilled labour looming in the near future, it would seem only sensible to enrol as many unemployed people in training programs as possible at this time. I could quote at length the Premier's (Mr. Davis) remarks in this regard.

Could the minister please explain why, in what is by any definition an economic downturn, Ontario has allocated less money in real terms for apprenticeship and retraining programs this year than in 1981-82, which, in turn, was less than in 1980-81? Can she assure us we will see the large increase in funding necessary to deal with the crisis when the 1983 budget is released?

2:10 p.m.

Hon. Miss Stephenson: Mr. Speaker, I am delighted the honourable member is finally evincing an interest in this important area. In truth, there has been a marked increase in both support and activity in skills development. The member may be interested to know that because of our concern about skills development, the whole area has been placed under the very capable leadership of Mr. Kenneth Hunter, the assistant deputy minister, who was formerly responsible only for skills development. He is now also responsible for the college system, because a very vast amount of the skills training that goes on in this province occurs within the college system in short-term programs as well as in long-term programs.

There was a 13.1 per cent increase in the total budget of the colleges last year. A very significant amount of money was directed specifically towards the development of skills training in the colleges—and I mean specifically. It was directed towards the development of high-technology programs and improvement in the facilities related to skills development. It was to facilitate

the arrangement we have with the federal government, which allows for training within the college system on a short-term basis.

In addition to that, there was a considerable amount of money—I think probably on the order of \$10 million—directed towards the TIBI programs, training in business and industry, in which I am pleased to say 23,000 people have been enrolled in skills upgrading to make them more flexible, adaptable and available for new high-technology activities.

There has been a great deal of action during the last two or three years in this whole area. Indeed, the number of registered apprentices has more than doubled in the past five years and we are doing our very best, not only through my ministry but also through the youth secretariat, to counsel young people who have dropped out of school to attain further educational and training achievements in order that they may be better able to fill those places that are available to them.

We have not only expressed our concern, we have directed our energies and our dollars towards meeting that concern and in fact are doing a creditable job.

Mr. T. P. Reid: Despite the minister's gratuitous comment, I have been concerned about apprenticeship programs for longer than she has been in this House and I am still waiting to see some specific actions. If the minister wants to go back and check Hansard, we had quite a debate on the Dymond report, which she still has not implemented.

Mr. Speaker: Supplementary, please.

Mr. T. P. Reid: Is the minister not aware that in the estimate books, under apprenticeship and manpower training programs, in real dollars she is spending an estimated \$8 million less in 1982-83 than in 1981-82 and \$13 million less than in 1980-81? So in fact in two years she is spending, in real dollars, \$13 million less in these programs for grants for adult and apprenticeship training, training in business and industry, training in industry and the Ontario career action program. Those are the minister's own figures.

Does the minister not agree with that? Can she give me figures to show that she has increased it? Can she assure us and the unemployed in Ontario that the demand for the 45,000 people whom we may need to import will be met by the skilled people supposedly now being trained under her programs?

Hon. Miss Stephenson: I am pleased to have the history of the member's concern in this area and to understand that he, like me, is still completing his apprenticeship in this important activity in this House. I do not know when any one of us will have achieved full journeyman status, but none the less we are attempting to do our best.

I will be very pleased to supply specific figures to the member. I can assure him there has been a very significant increase in activity in this whole area during the past three years, and it is measured more appropriately in the numbers of students, apprentices and people involved.

I would remind the member that there may have been or will be a revision of some of the projections made by the Ontario Manpower Commission in the report he is quoting, which I believe is now three years old and will suffer in the accuracy of its projections the same kind of fate that all other crystal ball projections seem to suffer; that is, there will be significant changes in a certain number of the areas which had been considered to be appropriate for citing as necessary within that report.

There is no mechanism I know of that gives us the capability to prescribe with any precision the exact requirements in the future. We are attempting to meet those needs which appear to be most severe and most critical, and our actions are directed in that way.

Mr. Rae: Mr. Speaker, can the minister tell us whether the government has definitely rejected the notion of an industrial levy, both as a way of paying for additional programs for apprentices and as a way of mobilizing the real support and integration of industry in the work of the apprenticeship program? If the government has rejected that technique, can the minister tell us why?

Hon. Miss Stephenson: Mr. Speaker, as the honourable member undoubtedly knows, the member for Rainy River cited the report mentioned in the study that was carried out by the Ontario Manpower Commission. It was mentioned in that report that there had been a very critical examination of the ways in which industry could more properly be involved in the training of those necessary for the economic advancement of the province. A number of means were reviewed. The levy was one which was not recommended by the commission unless all other attempts failed.

What we have been doing since that report came out, and even before that, was to try to encourage business to become involved in train-

ing particularly those people whom it will require itself. Employee self-sufficiency is certainly one rationale we have felt was an appropriate encouragement for employers.

We have also been trying to instruct employers, or to encourage them to understand, that training is not a business expense but a business investment. I am pleased to say we have had pretty significant improvement in the receptivity of the employers in the province.

I am not sure I could say any method has been totally rejected at this point, but we did make a commitment that we would use whatever other means were available to us to try to encourage employers to be involved before we resorted to the levy, particularly in the light of both the British and West German experience, which would demonstrate to us that the levy system is not all that successful. Indeed, there is activity in Great Britain at the moment which is directed towards the total destruction of the current levy grant system as one which is unworkable and entirely too expensive.

One of the requirements of a levy grant system, as demonstrated by the study which was carried out by the Ontario Manpower Commission, is that we would require an additional 20,000 civil servants in Ontario to administer it. I am not sure anybody was looking at that with any great deal of enthusiasm.

Mr. T. P. Reid: If the minister had looked at the experience of Caland Ore in Atikokan, which unfortunately is now shut down, she would have seen that it had a program in which it trained the people to do the jobs that it required, rather than what the government thought it required.

In any case, just to touch on the last question, last September the minister indicated that if co-operation was not forthcoming from the private sector—and I presume she included unions among others who have not always greeted these programs with enthusiasm—she might try the levy system on the one hand, or provide a carrot on the other, in terms of taxation credits or whatever. Has she had discussion with the Treasurer (Mr. F. S. Miller) in this regard? Can we look forward to such incentives for apprenticeship programs being found in the 1983 budget?

Hon. Miss Stephenson: I would think the member would understand the TIBI program is perhaps just such a carrot. It has provided an incentive for both labour unions and employers to become involved with government in training for specific skills. The enthusiasm with which

that program has been greeted would lead me to believe there has been a major change in attitude on the part of both trade unions and employers.

We have some 400 employers, with their appropriate trade unions, involved in that program now. This is the kind of model I think could be examined by other employers and other trade unions in the hope they would find it appropriate for their own purposes. I believe we are already involved in a demonstration of that kind of program.

I am not at this point recommending to the Treasurer that we move immediately to a levy grant system, because I am not sure it would be beneficial in the current economic circumstances of the province.

2:20 p.m.

GASOLINE PRICES

Mr. T. P. Reid: Mr. Speaker, I have a question for the usually ignored Minister of Energy, who I know is sort of smarting with—

Mr. Wrye: We want to know what their Sunoco prices are.

Mr. T. P. Reid: Yes. Actually, the question does have to do with the price of gasoline in Ontario and the minister's favourite subject, Suncor.

Gasoline prices in some areas of Ontario now are 40 per cent to 50 per cent of the previously prevailing prices, which obviously is good news for the Ontario consumer but not necessarily for those who own oil companies or parts thereof. The public affairs manager for Suncor in Toronto—who, strangely enough, is a fellow named Joe Clark, which seems to be a name associated with losing causes—has said the situation is “really hurting us.” Apparently he said oil companies pay 22.7 cents per litre in royalties and taxes, which means at any lower price the company is losing money even before things such as transportation costs are taken into account.

Other oil industry people have indicated that with the oil glut they do not expect prices to go up, or to be stabilized except at much lower prices than the province anticipated when it made the Suncor purchase. So far the government of Ontario has lost \$53 million on its Suncor investment in the first three quarters of 1982, for interest costs net of dividends.

Given these facts, could the Minister of Energy please provide us with an indication of how much the government expects to lose now

that Suncor is selling gasoline at a loss in Ontario?

Hon. Mr. Welch: Mr. Speaker, obviously it would be impossible, with the fluctuating market, to be precise in answer to a question such as that. But the honourable member, had he been here for the concurrence in supply for the Ministry of Energy, would have rejoiced along with the rest of us in the fact that Suncor's profits for last year were substantially up over the year before. I simply invite him to make comparisons between the financial position of this company in the marketplace and other integrated oil companies.

Also, the member would appreciate there are other activities in which the company is involved besides the particular one to which he makes reference. I cannot provide any information or long-range forecasts for this, but I would be glad to communicate the member's interest to the management of the company.

Mr. T. P. Reid: It is extremely kind of the minister. I wonder if he would get half of what he paid for a share of Suncor today.

The chairman of the other state oil company in Canada, Mr. Hopper, recently called for an increase in Canadian crude prices to the world level—

Mr. Rae: Food prices?

Mr. T. P. Reid: “Crude.” That is a word the member for York South (Mr. Rae) should understand.

It is obvious that Mr. Hopper feels Petro-Canada cannot be sufficiently profitable, given current price trends. Since Suncor is already losing money for Ontarians and will lose more if prices stay low, are the minister and his government now going to call for and demand a transition to world price for oil for Canadians?

Hon. Mr. Welch: As the member knows, that whole principle is wrapped up in the Canada-Alberta agreement. Certainly, that matter is settled.

Suncor, which is one of only two producers of synthetic oil, has access to world price for its synthetic oil. Indeed, there is access to world price for new oil after January 1, 1981. All that is wrapped up in the blended price which is in the terms of the Canada-Alberta agreement.

The whole concept of pricing was one advocated by this government over the years, notwithstanding the position of the Liberal Party which has always advocated world price, to which the Premier (Mr. Davis) made reference. The Canada-Alberta agreement enshrines the

whole attitude towards pricing advocated by this government over the years.

Mr. J. A. Reed: On a point of privilege, Mr. Speaker: Would the minister publicly indicate on what specific occasion this party advocated world price?

Mr. Speaker: Order.

Mr. Swart: Mr. Speaker, I would like to ask a supplementary to the rather strange question from the member for Rainy River (Mr. T. P. Reid) in which he implied that gasoline prices should be higher.

Will the minister give his assurance to this House and the public of this province that his government will not bring any pressure to bear to increase gasoline prices, either so Suncor will get greater revenues or so the government will get a larger ad valorem tax take?

Hon. Mr. Welch: Mr. Speaker, under the circumstances, the marketplace is looking after that and seems to be doing very well. If anyone has any time this afternoon to drive to the Sunoco station in Niagara-on-the-Lake, he can get a very good price. Bruce Sherlock, who is on the main street of that community, is selling at an even better price. I can assure the member that Niagara-on-the-Lake is doing very well at the moment as far as all this is concerned.

Mr. T. P. Reid: The distortions of the member for Welland-Thorold (Mr. Swart) know no bounds, but he misses the irony in the situation, as does the minister.

The government says it bought Suncor as an investment and a window on the oil business in Canada. They justified it by saying it was an investment for the people of Ontario. Obviously the only way it can make money is if the price of gasoline goes up. That means the consumer catches it in the ear.

Mr. Speaker: Question, please.

Mr. T. P. Reid: Given the fact that it is currently costing us \$200,000 a day for carrying costs on Suncor and the value of those shares is dropping rapidly as the price drops, can the minister give us any indication of how low the value of Suncor has to sink before the government will cut its losses and sell its share in Suncor?

Hon. Mr. Welch: In fairness, I know my friend would want to draw attention to the financial position of this company as announced on January 27. Indeed, if his research people have not found this, I would be happy to provide further information confirming that the 1982

earnings of Suncor were 20 per cent higher than in 1981. The member has been very careful not to ask too many questions about that.

PCBs IN WINDERMERE BASIN

Mr. Rae: Mr. Speaker, my question is to the Minister of the Environment. It concerns polychlorinated biphenyls in the Windermere basin in Hamilton.

I am sure the minister is aware of a report by his ministry in December 1982 which discusses the very real problems affecting the Windermere basin since it acts as a settling pond for pollutants and is contaminated with PCBs. There were 10 parts per million in one sample, which is higher than found in any sediment in Canada.

The minister will also know this report was particularly bleak because, having recognized the severity of the problem, it went on to say it could not recommend dredging as a solution since it would simply stir up the PCBs and possibly cause a threat to the eventual safety of the overall water supply in Hamilton.

Despite this very bleak study by the ministry, which indicated there was a very serious problem but did not indicate what action it proposed for the city or the region, can the minister tell us what specific steps his ministry is recommending to the regional council and to the city council of Hamilton to deal with the problem of the pollutants in the Windermere basin, particularly with respect to PCBs? Can the minister tell us what recommendations his ministry is making with respect to PCBs in the Windermere basin?

2:30 p.m.

Hon. Mr. Norton: Mr. Speaker, my response is premised on the assumption the honourable member is familiar with the relationship of the Windermere basin to Hamilton harbour. I also assume he knows the drinking water intake from Lake Ontario is not from Hamilton harbour.

The report the member mentions is one that has been released for purposes of discussion with the regional municipality in an effort to come to some conclusion on the best way to deal with the existing situation in the Windermere basin. I am speaking from recollection about the dredging; I do not have the information in front of me at the moment. However, the point does not relate so much to the direct impact it might have upon the drinking water, the intake for which is outside the harbour and, I guess, some distance to the east. Rather it relates to the impact it would have upon the ambient water

quality within the harbour and potentially at some point out into the lake.

At this time, the ministry is not making specific recommendations but rather is engaged in discussions with the regional municipality and others to try to reach some reasonable way of approaching the problem. It is generally believed the present situation does not constitute a threat in terms of health. The contaminants that exist there are locked in sediment that is not being released into the ambient water within the harbour.

That may be the safest way to leave it, in the view expressed by some of the scientists. Other options are being considered and discussed. If he has visited the site, the member will recognize one of the things that most concerns the citizens there is aesthetics. It is an ugly mess, and dredging might improve the aesthetics of the situation. However, that perhaps might have no positive effect upon the quality of the water.

Mr. Speaker: I would ask the honourable members not to carry on private conversations. The noise level is rising to the point where we cannot hear each other.

Mr. Rae: Page 34 of the report states, "The action of dredging may, in fact, temporarily deteriorate water quality by directly introducing contaminants into the water column." The drinking water supply for the city of Hamilton does not come from Hamilton harbour, but from a source outside in the lake, and we are all aware of that. The minister is also aware that water passes from the harbour to the lake and that contaminants are now passing from the basin to the harbour. There is no concern for today, but there is a real concern for the future.

With respect to PCBs, I wonder if the minister can tell us whether the Ministry of the Environment has now in place a regular program of monitoring the PCBs in use and in storage around the province. Can he tell us exactly what the nature of that monitoring is and how it compares to the monitoring that takes place in the United States. In the US, PCB users in the food industry are inspected weekly, for example, while other operations containing PCBs are inspected on a quarterly basis.

Hon. Mr. Norton: I do not have the detailed information with me. I can assure the member we have copious detail on PCBs both in use and in storage, and I certainly undertake to provide him with that information. It is not something I have at my fingertips. I have certainly seen and reviewed it, but I do not have it on instant recall.

Going back to the preamble of the member's question, I would point out that another element of the difficulty with respect to the Windermere basin is not merely the temporary problem of contaminants during the period of dredging. There is also the issue of what is an appropriate alternative way to locate the dredgate. That aspect also is being discussed. I believe a commercial proposal has been made with respect to locking it up in a concrete-type block which could be stored safely or utilized in some effective way.

The long-term effect with regard to the contaminants that may continue to come in via that route, bypassing what is now a catch basin or sediment basin and going into the harbour, really has to be addressed in terms of the sources and improving the runoff situation in the creek that flows into the Windermere basin. That is being looked at carefully.

Mr. Rae: The minister's answer to that question leads me directly to my final supplementary. As the minister will know, the attrition rate on PCBs in the province is about two per cent a year on what has been estimated by Environment Canada as six million litres that are now in use in transformers and capacitors around the province.

I am sure the minister will be aware that D and D Dredging—I am sorry, D and D Disposal Services, the only commercial company licensed to handle PCBs—has now been cut off from going to the United States. I understand its licence for the United States has been cut off as of the end of December.

The long-term solution to the PCB waste disposal problem by the Ontario Waste Management Corp. will not come into effect until 1987 at the earliest. Can the minister tell us what steps the ministry is taking now in the short and medium term to deal with the problem of storage with respect to the stuff which is no longer being actively used?

We have an inspection problem. We also have a real storage problem in the province—one that is growing. What steps is the province taking in the short or medium term before the Ontario Waste Management Corp. takes this stuff on stream?

Hon. Mr. Norton: The problem the member cites with regard to D and D Disposal—I do not think it is "Dredging" as I do not think they do any dredging—is not a recent one or a new one. It is certainly true that the present method of handling PCBs coming out of service is through safe storage. D and D's storage site is filled to

capacity but others are available for storage, not disposal.

As far as short-range or intermediate-range disposal is concerned, we have recently provided funding to D and D in conjunction with the federal government to carry on the next phase in the engineering and design of its disposal unit. It has been tested in Britain but not yet tested in Canada. I do not know the precise time Mr. Drew will have his engine ready for testing in Ontario.

We have looked at other technology that has been tested and proved in the United States and approved by the Environmental Protection Agency. Private interests in Canada are interested in making a substantial investment to make it available in Ontario. Again, we are preparing to provide for testing it within the province.

We have now nearly completed the draft guidelines for mobile testing units. That has taken a fairly lengthy period of time. They will now go through a process similar to the environmental assessment process for making it available for public review and ultimately for public hearings. The aim is to assure the members of the public the technology of the mobile testing unit and the way in which it would be applied would be safe for the residents of any community in which it was being used.

CLOSURE OF AMERICAN CAN MILL

Mr. Rae: Mr. Speaker, I have a question for the Minister of Industry and Trade in the absence of the Treasurer (Mr. F. S. Miller) who is also the chairman of the Board of Industrial Leadership and Development. It concerns the announced closure by American Can of its pulp mill in Marathon where it gave layoff notices, as I am sure the minister is aware, to hundreds of workers some 10 days ago. This will have a devastating impact on the community of Marathon since American Can is far and away the largest employer in what could be described as a one-industry town.

What steps has the minister taken, or is he aware of steps being taken by any other ministers, to ensure the protection of jobs in Marathon? What specific steps have been taken these last 10 days?

2:40 p.m.

Hon. Mr. Walker: Mr. Speaker, our involvement has not begun in the last 10 days; we have been into this for some time now. It goes back into the fall, indeed I think back into the summer, when we had meetings with American

Can regarding the company's intention ultimately to dispose of the Marathon facility.

The Minister of Natural Resources (Mr. Pope), the Treasurer, myself and other ministers have been directly involved in how this might properly be resolved in a way that would end up with the jobs being maintained. Of course that is uppermost in our minds. To our way of thinking, that is a viable facility and we have every reason to believe it should continue. The employment development fund was originally involved in that and commitments are still ongoing that are part of the negotiating position.

We have been dealing directly with the various individuals involved with respect to purchasers. There have been proposals from Canadian purchasers. We are most anxious to see the facility end up as a viable disposition, one that maintains the employment at the levels we would anticipate. Obviously our preference would be to see it remain—not remain because American Can is foreign-owned—but end up in Canadian hands, if at all possible.

Mr. Speaker: Before you proceed I am going to ask the members again to limit their private conversations and carry them on outside the House. The level of noise is rising.

Mr. Rae: I think it must be noted that this is a company whose basis is that it is a renewable resource and there is absolutely no reason why these jobs should not be there on a permanent basis.

The minister has announced a buy-back program, at least twice in this House that I can recall and on several other occasions publicly. Is his ministry or the government considering putting the buy-back program into effect, or is he looking at the possibility of taking over the mill in a joint venture with the employees themselves.

Is that the degree of the minister's commitment or is he simply looking at other individual private buyers?

Hon. Mr. Walker: I and my brother ministers do not see any closure of that plant occurring. We do not anticipate that happening and that is really not part of the discussions. However I realize why American Can has put out the notices they have. Frankly, I thought they were somewhat premature in doing so; I think they would have been better advised not to have alarmed people the way they have.

We are only looking at the question of prospective purchasers and there are at least two in process. So it is only an issue of who the

prospective purchaser might be and it does involve some question of the obligations the company has. It is a question of whether those obligations, those commitments and the benefits under the EDF would be extended. Those are the reasons we are directly involved in it.

No, the buy-back plan has not been a part of any of the discussions; and no, we have not at any time been considering any kind of joint relationship with the employees of the company. I suppose it could be considered. They have not approached us on it, to my knowledge, but that is not part of our current thinking at the moment. I suspect it would be premature for them to even contemplate that.

Mr. J. A. Reed: Mr. Speaker, according to my information the provincial government has committed some \$4 million or \$5 million to this plant. I wonder if the minister could tell us what assurances were extracted from American Can regarding maintaining employment at that plant and when the money was committed? In addition, if there were no assurances given as to maintaining the viability of that plant, why were those assurances not part of the agreement when government money was being put into that operation?

Hon. Mr. Walker: Mr. Speaker, we have tied them up so tightly they cannot do anything without having a talk with us on the matter. That certainly relates to maintaining employment through the whole process. So if they fail, if they default, there is a return of any of the funds advanced and a cancellation of the funds that might otherwise be provided. It is just like the Jarvis Clark situation. They had better look at it from the point of view of having to pay up the moneys if they are going to try anything that is untoward.

Mr. Stokes: Mr. Speaker, may I assume from the minister's response to my colleague the member for York South that whatever it takes to preserve those jobs and the entire economic base of the community of Marathon will be done?

If I can make that assumption, why is the minister not looking at the buy-back program as an option? Why is he not looking at a joint venture with current employees as an option? Is he prepared to meet whatever obligations will be required in order to attract that one Canadian company if he does not accept the buy-back or joint venture suggested by my leader?

Hon. Mr. Walker: Mr. Speaker, I reiterate that we have not contemplated buy-back. To

my knowledge this has not been advanced in any serious way; in fact it has not been advanced at all. This is the first we have heard of a proposal on buy-back. If there is such a proposal, of course, we will entertain it.

At the moment we have a couple of hot purchasers out there and we are not about to let them off the hook. Frankly, we think the best bet is to sell it as a viable operation, one for which people will exchange money. As the member knows we have been having discussions as we turn ourselves to the amount it would take to see that come about. At the moment we are not looking at anything that relates to buy-back. Of course we would not rule it out as a consideration. All we are looking at is the prospect of a couple of hot purchasers and we are going to do everything we can to make sure occurrences develop in the way we expect them to.

Mr. Speaker: The Minister of Labour has a brief answer to a previously asked question.

Hon. Mr. Ramsay: Mr. Speaker, since I asked you for the opportunity to respond I have noted that the member for Sudbury East (Mr. Martel), who raised the question, is not in the House. Unless the leader of the third party would like me to go ahead I can wait until tomorrow.

Mr. Rae: Wait until tomorrow.

Mr. Speaker: Yes, it may be more appropriate.

UNIVERSITY FUNDING

Mr. Conway: Mr. Speaker, I have a question to the Minister of Colleges and Universities. Yesterday the minister, via press release, made what many of us consider to be a very important announcement. This was the operating grants for 1983-84 to the 15 Ontario universities and the Ryerson Polytechnical Institute. In that press release, the minister indicated the government commitment in operating grants for 1983-84 to that sector would be 7.5 per cent.

The minister will know that represents roughly four per cent less than was offered in operating grants for 1982-83. The minister will know, as well, that 7.5 per cent in operating grants represents something in the order of four per cent less than what the Council of Ontario Universities has called for as an absolute minimum for 1983-84.

Is it thus the case that that announcement made yesterday by the Minister of Colleges and Universities, via press release, is to be taken as a rejection of the central recommendation made by the blue-ribbon committee called by the

Premier (Mr. Davis) and chaired by no less a person than the minister's own deputy minister, Dr. Harry Fisher? It reported in the summer of 1981 that Ontario's universities found themselves in a critical situation. The principal recommendation of the Fisher report was:

"To meet fully the objectives outlined in chapter 1, the committee recommends funding increases during the 1980s at a level that meets the cost of inflation and the cost of faculty and staff advancement, and provides an additional \$25 million per annum for equipment and furniture replacement."

To repeat, does the minister's statement yesterday, which falls very short of the facts I indicated earlier, represent, at last, a full and public repudiation of the Fisher report's principal recommendation?

2:50 p.m.

Hon. Miss Stephenson: Mr. Speaker, the short answer is no. The longer answer is that I hope the honourable member will read the rest of the document.

The committee, which he calls the Fisher committee, laid out alternatives that they examined related to Ontario's university system. They were somewhat polarized alternatives, with a maintenance of the status quo as the first chapter upon which that recommendation is based, plus a chapter 6, which is a somewhat draconian restructuring of the university system in order to reflect reality in economics and other features.

We have stated publicly on several occasions that we do not accept either one of the alternatives wholeheartedly and would work with the universities to try to develop what might be called a middle road to solving the problems.

The member has also conveniently forgotten to add that with the additional \$12-million grant for specific purposes in library and undergraduate facility support, the total of this amount of money for the universities this year is indeed an 8.6 per cent increase over last year. I would remind him the projected rate of inflation is something on the order of seven per cent, and therefore the level should be above the level of inflation, as it was last year.

This is the operating grant mechanism, which is not always introduced in the Legislature by a statement. In fact, on many occasions it has been announced through other mechanisms, of which I think he was a part the year before last. No, he was not? His predecessor was then.

Mr. Conway: Mr. Speaker, the deputy minis-

ter and his colleagues on the Premier's blue-ribbon committee cautioned that there was no middle road, that the middle road the minister talks of is the muddle road. He said that must be avoided at all costs if this system is not to be crippled.

Has the minister indicated in any of her recent statements just what the government's third way is? The client group has not got a clue as to what she is talking about. Would she indicate in this House precisely how she plans for her client group, the universities, to make up the gap between what they need and what the ministry is granting? I refer to the gap that is going to be left between the pressures the university community have identified as an absolute minimum—the Council of Ontario Universities sets that at 11.8 per cent—and her 7.5 per cent.

Has she any suggestions for this House and the community beyond as to how the universities will make up that difference, since it is clear this underfunding has continued and is well documented since the mid-1970s? I will refer her, if she needs it, to the recent announcement, *The Financial Analysis of the Ontario University System 1982*, published by the Ontario Council on University Affairs.

Mr. Speaker: No, that is not necessary. Just place your question.

Mr. Conway: Are we to take as new government policy the part of her press release yesterday that states, "The government must therefore continue to design its current spending patterns most carefully to keep the province's fiscal integrity intact"? Is that the new benchmark the universities are going to be governed by?

Does this not also indicate that she is repudiating yet again the substance of this very important blue-ribbon committee, which was chaired by no less a person than her own deputy minister, a report from which committee can only be construed as a want of confidence—

Mr. Speaker: Order.

Mr. Conway: —in her administration of the post-secondary community?

Mr. Nixon: I don't know why we can't complain about—

Mr. Speaker: It is rather redundant.

Hon. Miss Stephenson: Mr. Speaker, I do not know which of the 17 questions the honourable member would like me to answer, but there is no repudiation of the report. It was a very useful report, which has served as the basis for discus-

sion with the universities. To say the universities have no idea what is going on is absolutely inaccurate, and I think the member needs to spend a little more time reading and a little less time speaking.

Mr. Grande: Mr. Speaker, my question to the minister is very simple. Although she might not like to admit it, does she not agree the funding that was announced yesterday and the funding that was announced in February of last year is a total contradiction and repudiation of the Fisher report? In addition to Mr. Fisher, Ben Wilson also sat on that committee. He is the assistant deputy minister, colleges and universities division, Ministry of Colleges and Universities. So two top-level people from the two ministries did that report. Does the minister not think that is a direct repudiation of those two people? Is she not putting their position in jeopardy in terms of the field of the university sector in this province?

Hon. Miss Stephenson: No.

ADMINISTRATIVE CHARGES BY DOCTORS

Mr. Swart: Mr. Speaker, I have a question of the Minister of Health, if I can get his attention.

The minister squeezes every drop of blood out of a hospital's budget in the so-called interest of the taxpayers but permits excessive charges by doctors over and above Ontario health insurance plan for a great variety of reasons. In the context of this strange logic is he aware the practice of doctors assessing huge costs against patients for simple letters needed to fight cases at The Workers' Compensation Board or insurance cases is spreading and expanding? Why is he silent on this? Is he prepared to intervene to stop it?

Hon. Mr. Grossman: If the honourable member would be kind enough to supply me with the correspondence he has which indicates that a doctor is undertaking an inappropriate practice I will forward it to those places which he could forward it to just as easily. I will be happy to forward it to the appropriate disciplinary bodies. If the practice seems to be one that warrants further attention by this ministry, I shall be happy to do that.

Mr. Swart: I do not think there is anything doctors do that the minister considers inappropriate with regard to charges.

Mr. Speaker: Question, please.

Mr. Swart: Does the minister not realize that most of the people who have to pay these extra

charges have lost wages and incomes due to their injuries and can least afford it?

An example is Armando Mauro of Welland, who was off work for 10 weeks with a back problem which reoccurred at work and he was denied compensation. His doctor, G. J. Alexander of Welland, charged him \$125 for a simple two-page letter which was needed to document his case. I will send over a copy of that bill to the minister. I have the letter here too, but it is confidential. His secretary could have done it.

Does the minister condone this kind of charge? If not, will he intervene with the Ontario Medical Association to stop it?

Hon. Mr. Grossman: First, if the honourable member has any of these details he should feel free to write to me at the 10th floor of the Hepburn Block. We do receive all mail.

Second, I cannot help taking some gratification from the fact that whatever the honourable member says about the cost of OHIP and extra billing this is one service that is cheaper in Ontario than in Buffalo, as I am sure he will agree.

Third,—

Mr. Gillies: He is still working on toilet paper.

Mr. Foulds: So far, very funny, Larry.

Mr. Swart: Real concern.

Hon. Mr. Ashe: Plastic Bag Mel they call him.

Mr. Speaker: Order.

Hon. Mr. Grossman: Third, I appreciate the fact that at the end of the member's supplementary question he asked me to take it up with the OMA. As I indicated originally the OMA, together with the college, is precisely the right place to raise these matters. These are not, as he knows, matters of charges to OHIP or extra billing over the OHIP rate. These are nonschedule matters. They are matters which affect his version of what is an acceptable charge outside of the OHIP plan.

After I have heard the details and if they indicate it is something I would find unusual enough to take up with the appropriate persons, then as I have done on previous occasions I would be happy to take it up with them. If they did not deal with it properly at the college, if it ends up there, then it could end up at the health disciplines board. We will have to look at the details.

I want the member to feel free to write or call at any time. The numbers are open and so is our mail.

While I am on my feet, I might invite my colleagues to join me in the Ontario Room in the

Macdonald Block to donate some blood this afternoon. In view of the bloodletting that occurs here from time to time, it might be good if we let some across the way, as I did at noon.

Interjections.

3 p.m.

Mr. Speaker: Order.

Mr. Wrye: Mr. Speaker, the minister makes light of this problem, but I think all members have had constituents come to them to complain about these surprise costs for letters. Does the minister not believe that something needs to be done? In the case my friend the member for Welland-Thorold has raised, and in a number of complaints I have had, workers go to a physician because of a medical problem only to find there is a cost if they wish to have a letter written to the Workers' Compensation Board or somebody else. Does he not think that physicians who are going to charge for letters should be forced to point that out right at the outset so patients will have freedom of choice? Better still, does he not think he ought to suggest to the medical profession that it should scrap this kind of charge?

Hon. Mr. Grossman: Mr. Speaker, I certainly agree there should be some notification of the intent to charge this amount of money, or any amount of money in this and other circumstances.

I also think that this whole area the OMA deals with—it may want to correct me on this as it often likes to do—in my view the OMA treats this as an add-on to the OMA schedule, for example, other sources of income, which it alleges offsets what it considers to be a lower OHIP schedule than it otherwise would find acceptable. That is not the way I would look at the OHIP schedule of benefits. In any event, that is the OMA's version of it.

To give a clear answer, yes, I think there should be a notification of intent to charge in this way. It has been the subject matter of some conversations between myself and the OMA on the practice and the amount. It is something that, now that I happen to be armed with some of the information that has been sent over, we can deal with in a more direct way with the OMA.

I cannot help noting that this account says, "One form completed, \$125, re: report to Mel Swart."

CANADA COACH LINES SERVICE

Mr. G. I. Miller: Mr. Speaker, I have a question of the Minister of Transportation and

Communications. Is he prepared to subsidize the Canada Coach Lines service with \$100,000 in order to maintain the present bus service between Dunnville, Simcoe, Port Dover and Tillsonburg, so that the region of Haldimand-Norfolk and the counties of Elgin and Oxford have a contact with Hamilton? Is he prepared to provide a subsidy so that the bus service may be maintained?

Hon. Mr. Snow: No, Mr. Speaker. That is an intercity bus service that Canada Coach Lines has operated in the peninsula for many years. It is like a great many other services throughout the whole province that are operated by private sector bus lines. I do not think it appropriate that provincial subsidies should be provided for it. I might say that the chairman of the region of Haldimand-Norfolk has been in touch with me. I talked to him by telephone last week. I have arranged to meet with him and a delegation that I presume will be with him during the Ontario Good Roads Association convention next week.

Mr. G. I. Miller: I had the opportunity of riding on the GO Transit system on my way home to Hamilton the other night. I note that it is well subsidized by the province. In the minister's letter to me, dated February 12, he says, "My ministry has been receptive to extending provincial subsidies to the Canada Coach Lines services in the Hamilton area that can be defined as urban transit services." Would the minister consider doing the same for the region of Haldimand-Norfolk and that area of Ontario, because there is no other service? There is no train service. There is no other contact. Canada Coach has provided a reliable service for many years. Can he assure us that service is going to be maintained?

Hon. Mr. Snow: Mr. Speaker, I cannot give the honourable member the assurance that Canada Coach will maintain that service. I understand they have given notice they intend to discontinue certain lines, and they do have that right. As I told the honourable member the other day, if they discontinue those lines, other bus lines in the region might be prepared to apply for licences or extensions of their licences to carry on a service there. I do not see any way the particular service we are talking about can be considered a local transit service which would qualify for subsidy.

ATIKOKAN GENERATING STATION

Mr. Foulds: Mr. Speaker, I have a question for the Minister of Energy. Can the minister

explain the mysterious wording of a press release issued in Thunder Bay at one o'clock this afternoon which indicates that Ontario Hydro is at present "reviewing its plans to operate the Atikokan generating station after it is completed and commissioned in 1984"? Does that mean Hydro is considering moth-balling the Atikokan station after they finish building it?

Hon. Mr. Welch: Mr. Speaker, the honourable member has had an opportunity to review the contents of the press release, so he knows that the principal focus of the press release was on their hiring practices; that they were going to freeze their staff requirements at the moment. It would be premature to comment on the member's particular question until the Hydro board has had an opportunity to review all that. I think that is referred to in the press release. Over the next several months, they will be giving serious consideration to rationalizing that whole system in that part of the province.

Mr. Foulds: This rationalization is causing the shutdown of one unit of the Thunder Bay generating station. If the Atikokan station goes ahead and is operated, does that mean the people at the Thunder Bay plant will have first options on the potential jobs at Atikokan?

Hon. Mr. Welch: I am glad the honourable member raised that. As he knows, units two and three are more efficient, so there would be some reason to encourage the development of that particular aspect of their plan. As manpower requirements are known, it is reasonable to assume that those at the Thunder Bay plant would have that opportunity.

REPORT

STANDING COMMITTEE ON REGULATIONS AND OTHER STATUTORY INSTRUMENTS

Mr. Eves from the standing committee on regulations and other statutory instruments presented the committee's first report for 1983.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Stokes moved, seconded by Mr. Rae, pursuant to standing order 34(a), that the ordinary business of the House be set aside to debate a matter of urgent public importance, namely the announced closure of the American Can mill at Marathon, and the consequent loss of over 800 jobs in the mill and in woodlands that will result in severe hardship and loss of a valuable resource, and the reluctance of the

government to consider all alternatives, including finding a Canadian purchaser or taking over the mill themselves or allowing the workers to participate in the buy-back program.

Mr. Speaker: I would like to advise all honourable members that the resolution, the notice of motion, does comply with the standing orders and it was received in time. I will be pleased to listen for up to five minutes as to why the honourable member wishes that the ordinary business of the House be set aside.

3:10 p.m.

Mr. Stokes: Mr. Speaker, as members of the House will know, on February 6, American Can Canada served notice on all 800 employees at the mill site in Marathon and on wood lands employees in places like Manitouwadge, Caramat and Hillsport that, if it did not find a purchaser for the mill in the immediate future, it would be closed as of the end of July. Termination notices have gone out to all 800 employees.

As most members will know, Marathon is a community with a population of 2,300 and the only employer there is American Can. Several millions of dollars have been invested in infrastructure services like water, sewers, recreational facilities, churches, schools, individual homes and small individual retail enterprises.

If that mill is allowed to close, it will mean not only the demise of the jobs of 800 employees, but the demise of an entire community of 2,300 people. It will also have a profound effect on nearby towns where people who are bedroomed in those communities look to the American Can mill for a livelihood.

It is bad enough in any community or city in Ontario, or anywhere else, when there is an announcement of termination of 800 jobs, but it has a much more profound effect on a community like Marathon where a company is the only means of livelihood.

Marathon is a town based on a renewable resource. One hears of towns having to close down or look for an alternative when the economy of that town is based on a finite resource like diminishing ore reserves. It is intolerable when we have a community based on an infinite, renewable resource as long as we manage that resource in a way that will provide for a sustained yield and a definite allowable cut. The capacity of that mill is 160,000 tons of wood pulp a year.

It is a cyclical industry. It has its ups and downs. I know there is one company in the United States and one well-known company in

Canada that are actively negotiating with American Can Canada, which wants to get out of the pulp and paper business, not only in Canada but in the United States.

Since it is absolutely essential we do whatever is required to keep that mill open, it is not a question of whether we do it but a question of how we do it. Earlier today, we heard about an investment of \$650 million in Suncor that did not really produce one new job as a result of that acquisition. We know of the community of Minaki where \$50 million was spent, presumably to create 100 new jobs.

It makes very good sense for this government, whether it be under the auspices of the Board of Industrial Leadership and Development and the provincial Treasurer (Mr. F. S. Miller) with the assistance of the Minister of Industry and Trade (Mr. Walker) and the Minister of Natural Resources (Mr. Pope)—

Mr. Speaker: The honourable member's time has expired.

Mr. Stokes: Thank you. I think it makes sense that they co-ordinate things in such a way as to preserve the jobs and the economic life of that community.

Mr. J. A. Reed: Mr. Speaker, I rise in support of this resolution. The resolution before us brings into focus a serious problem that has been with northern Ontario most immediately for the last couple of years. It reflected itself originally when the American market for forest products began to slide.

To this day we have had in front of us a litany of difficulties throughout one-industry towns in northern Ontario, which have been faced with these very serious market problems. Yet through the time that has been spent we have really not come to grips with the issue in as comprehensive a manner as we should. I think we should go on record as agreeing that every single member of this Legislature is acutely aware of and concerned with the preservation of 800 and some-odd jobs in a community whose sole livelihood depends on the viability of that industry.

It is typical of so many other communities in northern Ontario, and it seems to me that this resolution brings into focus the need for an open debate and discussion as to the direction we must head in to ensure the revitalization of northern Ontario.

There are a number of unanswered questions. Some of them are specific to this announcement. There are a number of unanswered questions that should be debated in this atmo-

sphere, which can apply broadly to the problems that exist generally throughout northern Ontario, and it seems to me that now is not the time to sit and wait. We know that certain discussions and certain kinds of options have been considered to this point, but we believe implicitly that we cannot wait until the last hour or the last minute.

We also understand that the provincial government has a real stake in this industry. According to our information it has two thirds of a \$7-million investment that it has given to this company for plant modernization, increasing the efficiency of production and so on. It seems inconceivable to us that a government would make such a substantial investment in that community only to be witness to the impending closure of that plant. This has happened many times before with government—

Hon. Mr. Walker: Not impending closure; impending sale.

Mr. J. A. Reed: Well, I say to the honourable minister, the announcement has been made, and that is the reason the member for Lake Nipigon requested this debate this afternoon. The fact is that time moves along; and yes, it is true that the plant is not expected to close tomorrow or next Monday, but the fact is that if we attack it today and if we have a thorough and open discussion and perhaps discover the options that are available to us, something comprehensive and substantial can be done.

We have to do everything we can to ensure the salvation of that community and those 800 jobs.

3:20 p.m.

Hon. Mr. Pope: Mr. Speaker, I am pleased to join in this discussion. The opposition critic has said there are many unanswered questions and I would like to talk about questions. The member for Lake Nipigon, in whose riding this issue is located, has had some concerns and has on at least two occasions in the last week and a half, asked questions concerning this issue in the House. But no other member—except for the leader of the third party today—has asked questions. The Liberal Party has not raised it in questions. If there are so many unanswered questions on this announcement of some weeks ago, and if it is such an emergency, why has it not been raised by the opposition parties more than it has?

The unanswered questions could have been answered at the Liberal caucus meeting in Thunder Bay a week ago. Surely all of those

questions were discussed. Why does the member not tell his colleague? He was there. He can tell his colleague what was discussed. Surely the member discussed the Marathon mill there. If it is so urgent, surely it was discussed. But I bet it was not discussed at the Liberal policy conference at Thunder Bay.

In April 1981, this company announced its intentions to divest itself of its fibre operations. Everyone has known about it since then. They were successful in negotiating the sale of their American assets to the James River Corp., which may or may not be related, I do not know. But also, since that time—

Mr. Martel: That is one of the unanswered questions.

Hon. Mr. Pope: How does that relate to the jobs?

Since then, it has also been looking for prospective purchasers for its Canadian operation. Its publicly announced intention was to divest itself. We have known about it and the member for that riding has known about it. He has known there have been negotiations going on since December with at least four different government ministries, to accommodate a sale and to protect those jobs in an ongoing operation.

He is aware of the modernization grants that were made available for this company and that is precisely the reason for those grants. He has just been given evidence of that with this decision to close the mill on an economic basis.

There have been two, perhaps three, prospective purchasers in active negotiation with that company since December. The member for Lake Nipigon is aware of some of the details of those discussions. He is also aware of the steps the government and the various ministries of this government have taken to try and accommodate that sale. He is also aware we have been very active in trying to put pressure on this company to conclude a sale in as timely a fashion as possible.

Mr. Laughren: We are also aware of the track record.

Hon. Mr. Pope: They are also aware of the track record. I will get to that in a minute. That is a very good interjection; I refer him to our track record, with the new waferboard plants we have opened up in Englehart, the new waferboard plants planned for Sudbury and northwestern Ontario, and the 15 private nurseries in small communities across the province. The member is aware of the steps we took to protect Alban. That is a good track record.

If he wants to talk about the track record and about a one industry town, let us look at Marathon as an example. Marathon is 25 miles away from the Hemlo gold find. He knows darn well there is a new mine being opened up there by Noranda and he knows there will be economic benefits to that community as well as to other communities.

We have indicated in the Legislature before today that we will use the licenses that do not flow from a sale automatically but revert to the government to protect the jobs. We have done it in other places in the past and the member knows that. We are doing it with respect to Eganville and he knows that.

There is no reason for this emergency debate at this time. The members have known about this ongoing issue for a month and they just bring it here today because of the timing of the other things that are happening in this House.

Mr. Speaker: I find the motion is in order. I think it is of public importance. It is a matter of recent occurrence and falls squarely within the standing order. Therefore, the question before the House is, "Shall the debate proceed?"

3:46 p.m.

The House divided on the question, "Shall the debate proceed?" which was negated on the following vote:

Ayes

Bradley, Breithaupt, Bryden, Cassidy, Conway, Edighoffer, Elston, Epp, Foulds, Grande, Haggerty, Hennessy, Laughren, Martel, McClellan, McGuigan, McKessock, Miller, G. I., Newman, Nixon, O'Neil, Philip, Rae, Reed, J. A., Reid, T. P., Renwick, Riddell, Ruprecht, Ruston, Sargent, Stokes, Swart, Van Horne, Wildman, Worton, Wrye.

Nays

Andrewes, Ashe, Baetz, Barlow, Bennett, Birch, Brandt, Cousens, Cureatz, Davis, Dean, Drea, Eaton, Elgie, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Harris, Havrot, Henderson, Johnson, J. M., Jones;

Kells, Kennedy, Kerr, Kelyn, Lane, Leluk, MacQuarrie, McCaffrey, McCague, McLean, McNeil, Miller, F. S., Mitchell, Norton, Piché, Pollock, Pope, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Snow, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, J. A., Timbrell, Treleaven, Villeneuve, Walker, Watson, Welch, Wells, Williams, Wiseman, Yakabuski.

Ayes 36; nays 63.

3:50 p.m.

Mr. J. A. Reed: Mr. Speaker, on a point of privilege: During the discussion that ensued on this subject prior to the vote being called, the Minister of Natural Resources (Mr. Pope) took some delight in pointing out that the subject of the announcement of the closing of American Can Canada in Marathon was not discussed at the Liberal caucus on January 30 in northern Ontario.

Mr. Speaker: Order. That is not a point of privilege, with all respect.

Mr. J. A. Reed: I don't want to have to accuse the minister of misleading the House.

Mr. Speaker: The member for Halton-Burlington will please resume his seat. He said he did not want to do that.

Interjections.

Mr. Speaker: Order. Never mind. The honourable member will resume his seat.

Mr. J. A. Reed: Mr. Speaker, the record should be corrected; otherwise the minister will have inadvertently misled the House.

Mr. Speaker: I would like to point out to the member and all honourable members that one can correct one's own record, but one cannot really correct anybody else's record. The member has brought it to everybody's attention. It is not a point of privilege and I am not going to debate it.

Mr. Bradley: What he is saying is the information is not factual.

Mr. Speaker: That is not for me to judge, as I have told you a hundred times before.

Mr. Foulds: Mr. Speaker, on a point of order: I just want to bring this to the members' attention. I want to welcome my good friend the member for Algoma (Mr. Wildman) to the Legislature under great difficulty. I am sure we all welcome him back.

Mr. Speaker: As a matter of fact, I noticed he was back. It is nice to see him around again.

ORDERS OF THE DAY

CONSIDERATION OF BILL 127

(continued)

Resuming the adjourned debate on the motion for time allocation of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Rae: Mr. Speaker, on a point of order: Can we have a repeat of the order of business? Is it on the motion?

Mr. Speaker: Yes, it is. No, not on the motion;

it is resuming the adjourned debate on the motion for time allocation.

Mr. Conway: Mr. Speaker, I would like to resume where I left off at 10:30 last night.

Mr. Martel: The member was calling someone a liar.

Mr. T. P. Reid: A prevaricator, a speaker of untruths.

Mr. Conway: I want to refresh your memory, Mr. Speaker, and highlight the substance of government notice of motion 11 standing in the name of the member for York Mills (Miss Stephenson), moved by her and seconded by the member for Scarborough East (Mrs. Birch) as follows:

"That, notwithstanding any order of the House, the consideration of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act, by the committee of the whole House, be concluded at 5:45 p.m. on Thursday, February 17, at which time the Chairman will put all questions necessary to dispose of every section of the bill not yet passed, and to report the bill, such questions to be decided without amendment or debate; should a division be called for, the bell to be limited to 10 minutes;

"And, that, any debate on the question for the adoption of the report be concluded at 10:15 p.m. Thursday, February 17, at which time Mr. Speaker will interrupt the proceedings and put the question for the adoption of the report without amendment or further debate and if a division is called for, the bell to be limited to 10 minutes;

"And, further, that the third reading of the bill be at 2 p.m. Friday, February 18, when Mr. Speaker will interrupt the proceedings and put the question, without further debate and if a division is called for, the bell to be limited to 10 minutes;

"And finally, that in the case of any division in any way relating to any proceeding on this bill prior to the bill being read the third time, the bell be limited to 10 minutes."

That was the substance of government notice of motion 11 standing in the name of the member for York Mills and the member for Scarborough East.

Last night, we adjourned this debate amid some dispute and tension. I have had an opportunity to reflect on that this morning and to look at the instant Hansard for the proceedings of yesterday afternoon and evening.

I found it interesting the number of members of the House who have, in the course of the last

18 hours, come forward in the privacy of the halls of this building and expressed, most of them from a government point of view—many of them my very good friends—a certain sense of disbelief, if not incredulity, over the mood of the House late last night. They are surprised that some of us in the opposition seem to be so exercised about what has transpired with the issues flowing from government notice of motion 11. The number of those overtures has intrigued me.

I think it is useful in the consideration of this government motion 11 for each and every one of us, as members of this assembly, to reflect upon the impact of the time allocation procedure with respect to the way we do business in this House.

Mr. T. P. Reid: And the way we will do business.

Mr. Conway: As the member for Rainy River suggests, the way we will do business in the future.

I want members opposite to make no mistake about the depth of my feeling on this particular issue of time allocation. I make a contribution to this debate almost entirely as a private member. I do not do it as a member of the Liberal caucus. I do it as one member elected to this place who feels very strongly about the state of our parliamentary institutions in Ontario.

I do not take heart at the state of our parliamentary institutions. As I have said on earlier occasions in this session, and on a number of occasions since 1981, I am not very pleased about the state of the parliamentary function in Queen's Park.

4 p.m.

I would not want anyone opposite to be under any false impression about the depth of my feelings. It is an extremely difficult subject to talk about, because it often takes us perilously close to the edge of the gentlemen's and gentle ladies' club we all know the Ontario Legislature to be.

I do not personally take any delight in destabilizing, in undermining or in editorializing upon the arrangements we have grown very familiar with over these many years of operations since my election in 1975, and certainly in the time of members such as the member for Stormont, Dundas and Glengarry (Mr. Villeneuve), who has over many a breakfast regaled me with stories about earlier days and times in this assembly. I am not in any way pleased with what

I see to be an assault on the independence of this Legislature.

In some ways we had rather an interesting exchange after the adjournment last evening. I went home about 11:30 p.m. and gave some serious thought to a dialogue involving myself, the Minister of Education (Miss Stephenson), the Minister of Intergovernmental Affairs (Mr. Wells) and the Premier (Mr. Davis). At that time I sensed there was a certain angst about the place, and perhaps an understanding by all members that there was a move to the edge of real difficulty at a rather late time in this session.

I do not think anyone here is under any false impression. All of us want to leave this place and get on to the very important public works and duties we have outside the chamber itself. I think it is fair to say members on all three sides see those responsibilities as important and in need of attention. That is certainly my view as a member who resides 255 miles away from this great city. I have things to do in the great county of Renfrew, and I would not find too much difficulty in spending my time in my constituency, as we normally do in January and early February during recess.

We have an obligation, however, as members of the assembly, to do our business here in a proper fashion that takes into account the requirements of a government to have its legislation passed and the requirements of an opposition—inside or outside the government, I might add—to have ample opportunity to discuss issues of import and controversy.

There is no question that is what we are talking about when we talk about Bill 127. The concern many of us have about the way we have done business here in this session of 1982-83 is legitimate and supported by a number of indicators at which I personally take very considerable umbrage.

In the past couple of weeks, I have noted some of the happenings we have had. For example, we had a lockup not too many days ago on an important subject. I can appreciate the reasons for the lockup of the release of the Dubin inquiry into certain matters at the Toronto Hospital for Sick Children.

I rose on a point of privilege about the extraordinary circumstances in which I found myself walking into this chamber, knowing that the lockup was just ending, and having one of the Metropolitan Toronto dailies in my hand that gave me all I could ever want to know about the report which I was invited to discuss in a lockup.

I do not think I have yet heard from the Minister of Health (Mr. Grossman) as to how that could have happened. I have great respect for the administrative capacities of the Minister of Health. I can just imagine the care with which he went about his business in protecting that very sensitive document. I really think he owes this House a full explanation of how it ended up in the newspapers at a time when members were in a lockup.

I have no quarrel at all with the diligent journalism that took it to the newspaper. That is their business, and more power to them if they can secure that kind of information. But from my point of view as a parliamentarian who respects the rights and privileges of this chamber, I consider the release of that information a very serious cloud over the head of the Minister of Health, and I hope that, as he promised—and I do not know that he has come forward in the past 10 days with an explanation of how that happened—

The Deputy Speaker: Are you talking about the resolution?

Mr. Conway: Mr. Speaker, I intend to talk about the time allocation motion in a way that deals with its centrality of impact on our parliamentary rights and privileges, and I want to put government notice of motion 11 in some kind of context. I am going to try very carefully, very quietly, very unprovocatively to set out some of my concerns about the new way in which my friend the government House leader is ordering the business of this place.

The Deputy Speaker: Just so it relates to the motion before the House.

Mr. Conway: I appreciate the Speaker's remark, and I shall try to be relevant at all times.

I mentioned the release of the Dubin inquiry in connection with its relation to the lockup because I see it as a very significant problem for the members of this assembly. I put it in context with the announcement not very many days ago by my friend the Minister of Consumer and Commercial Relations (Mr. Elgie), who, under cover of darkness, with very important information, went to editorial offices in the city of Toronto with a desire to clear the air on sensitive information relating to the trust company business.

I was a member of the justice committee charged with Bill 215, and I think that by any reasonable adjudication of this matter what the Minister of Consumer and Commercial Relations did, for whatever good and valid executive

reason—"executive" meaning for the executive council—was a very serious violation and transgression of parliamentary conduct as we have known it in the British tradition.

I simply want to indicate that what we are seeing now, at least what I think I am seeing, is a move to a new kind of attitude that I do not think is in the best interests of this parliament.

I have a feeling this is one place and one jurisdiction where a Treasurer could leak a budget and it would not be considered especially untoward and it would not be considered in any way unparliamentary. About all that remains for me to see in the Ontario Legislature is that we will be invited some day to a lockup on a budget and we will get to the lockup only to find that the Orono Weekly Times is on the streets of the Durham region with a front-page account of the sum and substance of that document.

4:10 p.m.

It saddens me that so few members in this place really care or, quite frankly as best I can judge it, really understand the role they have as individual members of parliament. I think it is sad but none the less true to suggest that in our Ontario and in our Canadian parliamentary democracy there is now almost no value, no premium, no encouragement to be a good member of parliament, whether it be provincially or nationally.

For a lot of good and understandable reasons, government members see their principal ambition as gravitating ever downward from the back bench of anonymous private member status to the glory and panoply of the executive council. I think that is a fair statement of the ambitions of most government members who are not of the executive council.

In the opposition, I personally believe there has become far too much interest in being a constituency social worker. There really is not as much enthusiasm for and interest in being a good member of parliament, which means doing important legislative business in this place and its attendant committees.

That is a serious and sad trend about which some of us who care ought to stop at such occasions as the debate on government motion 11 and take stock of where we are. A little later in my remarks I am going to cite the expert analysis which I think supports that thesis.

I have complained, and I will complain again, about our place of business here where we have parliamentary assistants. We have many parliamentary assistants, as we have many mem-

bers of the executive council. Last Wednesday, I asked a question of the Solicitor General (Mr. G. W. Taylor) which he suggested could be more appropriately answered by his colleague the Attorney General (Mr. McMurtry). Even with the standing orders as we have them, we cannot allow that kind of redirect to take place in this House.

As the children of a time-honoured British parliamentary tradition, we ought to be embarrassed and we ought to be ashamed to have those constraints in place in this assembly. I cannot conceive that anyone with any understanding and with any desire for parliamentary legitimacy would for a moment tolerate or want to tolerate that kind of situation.

I mention it because in other places we have been invited to, to look at and to consider their practice, by people such as the government House leader, it is automatic someone is there to answer. If an honourable member puts a question to the Minister of Colleges and Universities (Miss Stephenson) and she is not here, her parliamentary assistant or some designate should answer automatically without a peep from anyone.

When I see the pathetic state of our parliamentary operation here in 1983, it saddens me greatly as a taxpayer who feels this is potentially a pretty good system if we move forward with the reforms that are long overdue. It is that spirit of reform that is at the heart of the debate on government notice of motion 11.

The government House leader and the Minister of Education are, in their cheerful unilateralism, going about essential reforms of this place in a way I think is a very serious violation of parliamentary practice and of good common sense. There is a certain irony about the juxtaposition of the government House leader and the Minister of Education in this bit of business.

The fact we have come to require government notice of motion 11 at this time on this issue says it all about the parliamentary proclivities of the member for York Mills. Unlike her predecessor—now government House leader—this Minister of Education does not understand that in a parliament, a sense of compromise and conciliation, on timetable at least if not on substance, is a very useful and helpful procedure.

In my capacity as a critic of the Ministry of Colleges and Universities, I do business with the minister. I do not feel constrained to say that I have enormous respect for the woman, her commitment to cause and her not inconsider-

able intellect. I think Darcy McKeough was right when he was quoted as saying that she is the best and the brightest of the Premier's current lot. My experience with her has been fairly regular and I am, in many ways, very impressed—

Mr. Rae: What does that mean? Explain.

Mr. Conway: I want to—

Mr. Stokes: Sounds kind of airy to me.

Mr. Conway: Mr. Speaker, I know members would want me to be fair and I feel I have to be fair. I have had some heated exchanges with the Minister of Education in the last 24 hours. One never knows—there might be more before these remarks are concluded. I have found the minister to be a very serious, tough-minded, bright lady whose opinions I do not always agree with, but whose opinions I am quite disposed to respect and to listen to. In many respects, that is a comment on the substance of her politics.

The way in which she goes about her business, however, ought to give most members in this place some considerable pause. Maybe there should be no great surprise that the former Minister of Treasury and Economics—the former *éminence grise*; no that is not the right phrase—should view the current Minister of Education as favourably as he does because in some ways—

Mr. Cassidy: *Eminence bleue*.

Mr. Conway: That is a very good point. I thank the member for Ottawa Centre because that is a far better phrase—the *éminence bleue*.

Darcy McKeough did his business with much the same kind of lustre and—

Interjection.

Mr. Conway: —bullroar as we have seen from the Minister of Education.

As I said earlier, there is an irony about the Minister of Education being in this parliamentary pickle with the government House leader. I cannot imagine, in terms of their activities as Ministers of Education, two more distinct approaches to that very important and sensitive government department. The way in which the government House leader discharged his obligations in Education for those five or six years was the picture of accommodation and conciliation.

Mr. Nixon: He would not have brought in this sort of legislation.

Mr. Conway: In a few moments I am going to recite the excellent, and I thought telling, remarks of the member for Brant-Oxford-Norfolk

(Mr. Nixon) in the debate on December 9 when he talked about the way in which the government House leader, as Minister of Intergovernmental Affairs, stick-handled his way through the tough parliamentary issue of the Toronto Islands.

It should not surprise anyone that at the base of this parliamentary uproar is our friend the Minister of Education. I have not spent a lot of time in the committee studying Bill 127 but I have been there enough to watch the current Minister of Education. I thought it interesting last night that the Speaker was quick to point to the galleries and say, "No hissing, no snarling, no indication of upset or disgust."

My friend the member for St. Catharines (Mr. Bradley) is here as are other members of the assembly who sat on that committee. I think they would support the contention that it was better than a good movie, to sit in on that standing committee on general government and watch the Minister of Education respond to some of the rather pointed presentations made in opposition to the principle of Bill 127.

4:20 p.m.

The Deputy Speaker: Should I defend the Speaker's chair at this point? Under our standing orders the Speaker's chair has no alternative but to remind people in the galleries—from time to time I have similar problems—that they should not participate in the debate.

Mr. Conway: No, the Speaker is absolutely right and I would be disappointed if he did not—
Interjection.

Mr. Conway: The Speaker is absolutely right. I could not agree more with his assertion.

Mr. Sweeney: It is irony.

Mr. Conway: But the irony of the situation—thinking back to the days of being in that committee, brief as my visits were—was the pace, and the larynx of the Minister of Education travelled a million miles as she listened, or tried to listen to the presentations made by a variety of people. I think I heard—

Mr. Nixon: She is a good listener.

Mr. Conway: I would not want to put the Minister of Education on the spot, but if I heard what I think I heard in a few cases it was a very rich but private response that was being offered. That, I am afraid, is the kind of problem that in large measure has brought us here. This minister has gone—

Hon. Miss Stephenson: Is the member debating me or the motion? Obviously it is me.

Mr. Cassidy: They are inseparable.

Mr. Nixon: The minister is rising like a trout.

Mr. Conway: Mr. Speaker, the Minister of Education has interjected in a timely way. She invites me to comment on whether I am debating the motion or the minister. The member for Ottawa Centre was absolutely right when he said they are inseparable.

Hon. Miss Stephenson: That is not what he said.

Mr. Cassidy: Inseparable, yes.

Hon. Miss Stephenson: It sounded like "insufferable" from here.

Mr. Cassidy: That is a different matter.

Mr. Nixon: One of those words; fill in the blanks.

Mr. Conway: Because I do not think it is in order for any of us in this debate to do so, we will not argue for or against the premise whether or not the Minister of Education is insufferable. That would be out of order. But I think the member for Ottawa Centre is quite right when he says the Minister of Education and government notice of motion 11 are inseparable. I believe they are.

We have government notice of motion 11 because we have a minister who has very serious difficulty within her own caucus, and that is perhaps understandable on this kind of an issue. I do not express great surprise at that. I wish I could describe more effectively the visage of the member for St. George (Ms. Fish) last evening as she came in, and then departed, on the vote on the point of order in this connection. It is well known that a substantial part of the Progressive Conservative Party in the city of Toronto is rather aggressively opposed to Bill 127.

I have sat in a studio in this city with my good friend the member for St. George and, quite frankly, was astonished at what she was prepared to concede was wrong with Bill 127. I do not intend to betray any private confidence that would embarrass any other member of the government. I refer to the conversation between myself and my friend the member for St. George at the CBC a couple of Thursday mornings ago, because it is on the record. It is well known the Conservative Party is deeply divided over Bill 127.

It is also well known that, true to her colour and her tradition, the Minister of Education is responding to the great pressure from within her

party and from without in the community with "Ready, aye, ready. Damn the torpedoes. This will go through as I have written it and there will be no quarter given to any of our weak-kneed detractors who would have me rethink the position that I have put forward with Bill 127."

Mr. Nixon: Onward to the Falklands.

Mr. Riddell: An ultimatum was given to her cabinet—"Either the bill goes or I go."

Hon. Miss Stephenson: I do not know what the member is smoking these days.

Mr. Conway: In my church we call that an ex cathedra statement.

Those are the reasons we have government notice of motion 11. I cannot imagine, if we had the current first minister or the current government House leader in their previous incarnations as Ministers of Education, that we would have anything the like of government notice of motion 11. It is because of the completely uncompromising spirit of the mover of government notice of motion 11 that we are here today faced with this exceptional time allocation request and motion.

Of course, there is something else, and it is entirely related to the desire on all sides—dare I say it?—for adjournment. There is clearly within this building, and in some of the precincts beyond, a desire to bring to an end this long session that began back on September 21.

So that motion was decided, I am sure, late on Monday evening, probably over in that room there. I am always suspicious of what goes on after hours in our television room. It was decided the only way to bring this House to an adjournment on Friday, February 18, was to invoke the time allocation method of closure. We got that because it was decided that the Premier had a working holiday in France that is to begin some time towards the end of next week. Air Canada's seat sale and the sunny climes of Florida call many elsewhere. I note some have been—

Interjections.

Mr. Conway: I was not speaking in that connection so much to the mover of government notice of motion 11 as to the seconder, who I am pleased to welcome back into the chamber. I must say as well, although the member for Algoma (Mr. Wildman) has departed, it is very good to see him back. I read not too long ago of his very unfortunate skating accident. He seems to be recovering quite nicely.

I think the Provincial Secretary for Social Development (Mrs. Birch), whose portrait is

freshly painted and about to be hung in some fairly prominent public place, must have a pang of anxiety about coming back after a nice study period elsewhere to lend her name to this government notice of motion 11. I cannot believe she is really anxious to lend her name to that kind of tactic. Speaking of the seconder of government notice of motion 11 specifically, it is not the way I recall her way of doing business here. I am quite surprised. I am almost as surprised to see the Minister of Intergovernmental Affairs was very anxious not to lend his name to this time allocation procedure.

It was decided, I am sure, late on Monday night, that we wanted out of here on Friday. We had an agreement to do most of the other business, some of it a bit contentious. An agreement was made to get that cleaned away so that all that was left to pass was the famous Bill 127. I am sure it was felt the opposition could be put between a rock and a hard place between Tuesday and Friday, between the rock of wanting to get out of here—which I think all members do share—and the hard place of our business as legislators to review important legislation.

4:30 p.m.

I am sure it was decided, in keeping that kind of timetable before the government House leader and his noteworthy assistants, that time allocation was really the only way this distasteful pill could be rammed down the collective throats of the 32nd Legislative Assembly. So it was hastily put together on Monday night and dished up to the assembly yesterday. I think that is a very bad way for us to write so important a departure as time allocation into our practice.

Last night the exchange between the Premier and myself after hours left me thinking about a number of things. I found what the Premier said to be very interesting. I do not think it is any secret; I think he said it earlier. It was basically this:

"Listen here, you fellows and ladies in the opposition have just as much to do with the way the business of this House has been ordered since the fall of 1982. Had your leader"—meaning my leader, the distinguished member for London Centre (Mr. Peterson)—"been less interested in spending so much time on the trust company business, and if the New Democratic Party had not vented so much of its collective spleen on the anti-inflation bill, Bill 179, we might not find ourselves in this kind of constraint."

The Premier went on to say: "I do not know what the fuss is all about on this business of time

allocation. Everybody wants to conclude the business of this House."

Then I asked the Premier: "Notwithstanding that, and accepting the government's right to bring the business forward and to conclude it in a certain way at a certain time, why are you so reluctant to use the instrument that has been in the rules and practices of the Ontario Legislative Assembly for a long time, namely, what is currently standing order 36?"

His answer to that was: "Oh, we know what you would do with that. You would really raise hell. You would say we bring down the iron heel, and the cries of closure would be eloquent and frequent tonight."

I am adding a little bit to what he said, but I think I fairly represent the Premier's position last night. I thought about what he was really telling me. He was telling me they do not have any guts over there. They are very nervous to be associated with the classic closure that is part of our rules. The Premier is sensitive to a fault about playing his hardball within the traditions of this place, within the traditions of John Robarts, Leslie Frost, George Drew, George Henry and George Howard Ferguson.

The Premier is very nervous to play his hardball within the rules of our past practice. He is skittish. He is very anxious not to be seen on the front pages of the Orono Weekly Times and the York East Trombone as being associated with a Davis closure. He wants none of that. His government will find some circumvention of that course of action. I think it is interesting that, at heart, it is gutlessness on the part of the Premier and his government to play what is admittedly a tough game by our rules.

I have listened to the Premier talk about his sensitivity to the traditions of this place. He has been around here a long time, much longer than I have been, and much longer than I can ever expect to be, or want to be. But I really find it interesting that this nervousness, this gutlessness, this spinelessness, is the reason the rules that were satisfactory for George Drew, Leslie Frost and John Robarts are not somehow satisfactory, satisfying and applicable to this government.

I think this is important. As the member for Brant-Oxford-Norfolk pointed out in his excellent remarks of December 9, 1982, members of this assembly must understand the nature and extent of the departure represented by the time allocation procedure that is at the heart of government notice of motion 11, and that, of course, was at the heart of government notice of

motion 10. I just hope people stop and think about the impact of two such complementary time allocation motions within 10 weeks of one another. They chart a very new course for this place and the way we do our business here.

As I indicated last evening, I quite frankly do not expect members whose only experience in this place is cabinet experience to have any idea what I am talking about. The Minister of Education, for all her sterling and considerable qualities, has never known anything but the executive council. Except for maybe one year, 1959-60, the leader of this government has known nothing else. I believe he was Minister without Portfolio as a Hydro commissioner for a year in advance of being Minister of Education. Correct me if I am wrong, but the vast majority of the first minister's experience in this place has been in the executive council.

I do not expect people whose vast experience here has been with the executive council to understand or care very much about the rights and privileges of parliament. I believe, and I think the experience of the modern period is such, that more and more the rights of the executive council are at variance with, antithetical to, the rights of parliament.

Hon. Miss Stephenson: Wrong.

Mr. Conway: The Minister of Education says succinctly, "Wrong." I would submit as one small bit of evidence, and I made an allusion to this today in my remarks in question period, that anybody who understands the traditions of our parliamentary practice would know that a major departmental announcement ought to be made, in fact must be made, in the House. One should know it is wholly unsatisfactory to our parliamentary tradition to make such a statement via press release or through some other means.

Hon. Miss Stephenson: That has not necessarily been the tradition for that ministry.

Mr. Conway: The minister takes her position and I take mine. I simply note that as I read the traditions of British parliamentary practice, when a minister of the crown has something important to say about issues and developments under his or her departmental responsibility, the priority place in which to make those announcements is the floor of parliament.

To come back to my earlier point, I do not expect people whose experience has been almost entirely or exclusively cabinet experience to understand what I am talking about. Do members know what I hear my friends on the executive council say—and I can understand it:

"What a waste of time parliament is. God, all it is is a congress formed of windbags."

4:40 p.m.

The Minister of Revenue (Mr. Ashe) was charming at the little seminar yesterday. The one thing about him I appreciate is his predictability. By George, the Minister of Revenue is not prepared to sit around and waste minutes and hours with a bunch of misguided, misdirected members of parliament who really do not understand and do not care because, God knows, they are probably just posturing to you know what and to you know where. I may be carrying that a bit far, but I do not think I am taking it too far.

The members of the executive council have executive responsibility and, by gosh, they are overburdened with an enormous responsibility. I can well appreciate how, in the midst of a hectic day, they find it dysfunctional to come to this parliamentary place and listen to some esoteric dissertation about the rights of parliament.

More and more, the members of cabinet are mini-versions of Clarence Decatur Howe: "There is a job to be done. We must build this pipeline. Stanley Knowles and the Speaker of the House of Commons are not relevant to the building of my pipeline."

I think the member for York South (Mr. Rae) would want to agree with me there is no mistaking the Minister of Education is building a pipeline in this winter of her discontent and that pipeline is going to encompass the six municipalities in Metropolitan Toronto.

Hon. Mr. Wells: Why don't you tell us what happens in the House at Westminster?

Mr. Rae: I am going to tell you all that.

Mr. Conway: The member for York South has indicated—

Hon. Mr. Wells: The questions are all on the Order Paper and they come in for certain times.

Mr. Nixon: Lots of Tories go over there and run for Parliament.

Hon. Mr. Wells: I am just telling you what happens at Westminster.

Mr. Nixon: Why don't you go to an early Valhalla?

Hon. Mr. Wells: Tell us about Westminster.

Mr. Rae: How many Liberals are there at Westminster?

Mr. Nixon: A significant number and rapidly growing.

Hon. Miss Stephenson: Thirty-two altogether.

Mr. Kolyn: We are listening, Sean; carry on.

Mr. Conway: I have always had the feeling the member for Lakeshore (Mr. Kolyn) has been more than passingly interested in what I have to say. I appreciate his sense of involvement and generosity.

There is no question that "C. D." Stephenson is building a pipeline and the pipeline will be put through. If the city of Toronto and its New Democratic Party-oriented board of education do not like it, so much the better.

My friends from the city of Toronto and the suburbs tell me there is an awful lot at stake in Bill 127. This is an Armageddon of sorts and this very tough, bright lady from the suburbs who is to the right of the right is determined to bring to some kind of conclusion the activities of the city of Toronto school board types. This is a matter of high politics and base ideology.

Mr. McClellan: Basic or base?

Mr. Conway: Base ideology; our Minister of Education has committed herself lock, stock and barrel to putting Bill 127 through, and the louder those NDP partisans in the city of Toronto squeal the happier the minister will be. In her own mind, the cause of right and justice will be served by doing so.

Hon. Miss Stephenson: You presume too much.

Mr. Conway: The minister says I might presume too much.

Hon. Miss Stephenson: Not might, you do.

Mr. Conway: Perhaps I do, because I do err from time to time.

But the Minister of Education has become the most contentious, the most controversial, the most stubborn and, quite frankly, the most difficult Minister of Education in the modern period; and notwithstanding her very considerable capacity, I am prepared to say that this bill, as it will be rammed through by government notice of motion 11, is the beginning of the end of this minister's role in education. I am prepared to say that she will not be around that department very many days after Bill 127 is written into the statute books of this great province.

Mr. Grande: I thought that was the deal.

Mr. Conway: My friend the member for Oakwood (Mr. Grande) says something about a deal. I do not know anything about a deal, but I know something about the way the current Premier feels towards his cabinet colleagues, and he is too much a Mackenzie King to leave such an irascible lightning rod out there in a

departmental jurisdiction that is so sensitive and important to the 8.5 million Ontarians.

In forcing the bill through via government notice of motion 11, in yet another twist of irony, the Minister of Education has written "30" at the bottom of her script as the minister in charge of education for this province. I have some sensitivity for her successor, because whoever that person is—and as I look across I think I see at least one avuncular face that does not much mask an interest in this departmental responsibility—I have real sensitivity for the new Minister of Education, because that person is going to have to build or rebuild many bridges that the current minister has thoughtlessly and recklessly undermined, to a point of collapse in many cases.

Mr. McClellan: Just as she did in the Ministry of Labour.

Mr. Conway: You know, the member for Bellwoods (Mr. McClellan) makes a very good point, and perhaps a more telling point than he intended. My memory will perhaps need some support, and I am sure the member for Sudbury East (Mr. Martel) can supply it, but was it not the case that in her previous incarnation in Labour she proved completely incapable of carrying forward the occupational health and safety legislation and that our friend the member for York East (Mr. Elgie) had to be brought in to complete that task and treat the many wounds that had been inflicted—

The Acting Speaker (Mr. Cousens): I would suggest to the honourable member that we are speaking to resolution 11 and that the remarks being made are directed more to the personality of the minister than necessarily to the motion before the House.

4:50 p.m.

Mr. Conway: Mr. Speaker, I do not think you were here when we discussed this matter earlier, but I suggested, and I think other members concurred—I cited earlier the comments of the member for Ottawa Centre (Mr. Cassidy)—that to understand government notice of motion 11 one has to understand the way the Minister of Education does her business, and that the two—the personality and this heinous procedure—are inseparable. This is the case that, with respect, I am endeavouring to make. I accept your proper injunction to restrict myself to government notice of motion 11.

I think it is relevant to conclude the point that was raised by my friend the member for Bellwoods about our experience some years before

your arrival in this place, Mr. Speaker. I think it was back in 1977-78, when the member for York Mills was in the middle of a very contentious fray over labour. The only way important legislation in the area of occupational health and safety could be advanced was without the minister. The healing spirit from York East was brought in, and I must say he really showed no little bit of dexterity in repairing, rather dramatically and quickly, the damage that had been wreaked by the whirlwind of his predecessor.

I simply predict that Bill 127 will be the last major legislative initiative of the current Minister of Education, the distinguished member for York Mills. I believe that not only because I know of the dislocation that her style and approach has created in the community, particularly here in Toronto, but because I am very sensitive and sympathetic towards the almost impossible position in which she has placed so many of her distinguished colleagues, ranging from the member for High Park-Swansea (Mr. Shymko) through to the member for St. George and the member for St. Andrew-St. Patrick (Mr. Grossman).

Mr. Grande: Do not forget Eglinton or Scarborough.

Mr. Conway: The member for Oakwood suggests we should not forget the Attorney General.

Speaking to the motion, Mr. Speaker, I want to comment on the minister's intervention late last evening. The minister began the debate of government notice of motion by offering the following commentary. I do not intend to read it all, not only because that is not allowed in our standing orders, but because I do not think it is necessary in the interests of time. Speaking to the government notice of motion 11, the Minister of Education said, at or around 10:15 p.m., the following:

"Bill 127 is legislation designed to re-establish those important central principles that appear to have been severely eroded in recent years, the principles of co-operation and sharing upon which the metropolitan form of government of the school system in this area is established.

"As all members are aware, in the past several months, in fact since last May, many words have been spoken, some might even say much has been spilled"

I want to stop there because the member for Oakwood, in the absence of my colleague the member for St. Catharines, may want to think about an intervention, because I am sure he sat through more of those hearings than most of us.

What could the minister have meant when she suggested much was spilled? From my limited participation and observation of the dealings of the standing committee on general government with that particular bill, what I thought I saw and heard being spilled was the minister's not inconsiderable venom at anyone who dared walk into that room and suggest that this bill somehow was not advancing the public good in the city of Toronto.

Mr. Grande: People were intimidated, as a matter of fact.

Mr. Conway: The member for Oakwood says people were intimidated.

Hon. Miss Stephenson: And laughs as he says it, because he knows it to be untrue.

Mr. Conway: I do not know if the member for Oakwood laughed or not—

Hon. Miss Stephenson: Yes, he did.

Mr. Conway: —but the presence of my friend the member for York Mills—

Mr. Grande: If I were talking to you, Bette, I would laugh.

Mr. McClellan: Mr. Speaker, is that not unparliamentary or are you just pretending that parliamentary rules do not apply any more? I do not mean what my colleague said but what the minister said, sotto voce, "He knows it to be untrue" is unparliamentary. Will you please raise it with the minister?

Hon. Miss Stephenson: I would certainly withdraw "untrue" and suggest it was factually incorrect.

The Deputy Speaker: While we are at the whole thing, as much as I respect the member for Renfrew North (Mr. Conway), from time to time I get this funny feeling he is just baiting the minister a little bit and wandering away from the notice of motion.

Mr. Conway: Mr. Speaker, it is because I sensed a concern about your desire to constrain my remarks to government notice of motion 11, as you should properly do, that I am taking as my benchmark the intervention made by the Minister of Education last evening when she spoke to the motion at hand.

Mr. Rae: She was off base about the whole thing. She did not speak to the motion.

Mr. Conway: I want to say in concurrence with the member for York South that, when the Speaker allowed that to stand as a relevant intervention on this notice of motion, I think he

established a broader, as opposed to a narrower framework. I do not want to bait the minister.

Maybe the member for Oakwood can refresh my memory, but I think—was it Mrs. Dobell from Ottawa? Did she appear on this particular reference?

Mr. Grande: You are quite right.

Mr. Conway: I have to say that hell hath no fury like the Minister of Education peering over the top of those glasses at witnesses appearing in front of her and saying something against her legislation. Oh, my, the ice man could not instil a greater chill in a committee of this building. Oh, the scorn and the fury is something I think is properly drawn to our attention by the member for Oakwood.

The Deputy Speaker: Come on. You will be at Stratford before we know it.

Mr. Conway: Mr. Speaker, I fully understand the anxiety of members opposite so I will come back to the remarks that triggered this digression. It was the minister in her opening statement on this motion last night who, according to the Instant Hansard, said at about 10:15 p.m.: "As all members are aware, in the past several months, in fact since last May, many words have been spoken, some might even say much has been spilled"

I hope I have an opportunity in this debate to respond with some amplification on the minister's comments which began this debate. From what limited experience I had in that committee, the spilling I saw was the venom of the Minister of Education on anyone who took a contrary position to the principles of her beloved legislation, Bill 127.

The minister continued: "Since last May, we have had approximately 97 hours of House time consumed by examination of Bill 127 in the House and in the standing committee on general government. Approximately 66 hours were expended in the general government committee. About 14 of those related to examination of the bill clause by clause. All points of view in that other period of time for and against Bill 127 have been heard many times over."

There it is, judge and jury herself. She has ruled. She has listened. She has heard. She has surveyed the landscape before and around her and she, from the high chair of her judgement, has decided that enough has been said, that there really cannot be much more added and, therefore, government notice of motion 11 is in order.

Let me stop at this point and recount some of

the past experience and past practice I can recall. One can just imagine, if my friend the member for Stormont, Dundas and Glengarry were to take the floor and share with us the enormous experience he has had since 1948, what additional information he might add in this respect.

My point is simply this: We all know and can recall issues and bills of great contention, some of them really not of great contention but of considerable interest, that went on for a very long period of time.

5 p.m.

I can recall the famous Bill 70, the occupational health and safety legislation that must have gone over two or three sessions, at least two parliaments, if I am not mistaken. There were hours, weeks and months of testimony and of clause by clause debate. Under the guiding spirit of the member for York East, we were able to bring that to a finality and put in our statute books legislation that, while not perfect, was acceptable to this assembly. Past practice in my time here indicates that we spent an awful lot of time on occupational health and safety. I do not know what the calendar read, but I think it would make Bill 127 pale by comparison.

My friend the member for Ottawa Centre will recall that in 1975-76 the Legislature was seized with the rent review legislation. I well remember the member for Ottawa East (Mr. Roy) playing an active part in committee hearings. If I am mistaken the member can correct me, but I think I have a memory of rent review legislation that involved an awful lot of committee and deliberation. The member for Bellwoods shakes his head. I have a memory of rent legislation that took a lot of time. We had a lot of debate, a great deal of division and contention, but we got a compromise in the good old way of our past practice.

I can certainly recall the family law reform legislation that seemed to go on for a couple of years and involved an enormous amount of time. My friends the member for Ottawa East and the former member for St. George would keenly come to our caucus and brief us on the new developments. The committee stage seemed to take a great deal of time.

Mr. Nixon: It was very interesting in caucus too.

Mr. Conway: It was very interesting in caucus, as those of us who were not directly involved with the deliberations of that committee had the benefit of the input of our members.

For the benefit of my friend the member for Timiskaming (Mr. Havrot), I am saying we have had major legislative initiatives in my seven and a half years here. We have had family law reform, occupational health and safety, and rent review legislation. I remember the fine former member for Humber, Mr. John MacBeth, bringing forward, as Solicitor General, a couple of versions of a police bill that were very contentious. As I remember, and my memory may not be completely accurate, we had a couple of versions of that and a lot of give and take, but the House dealt with it.

My point is simply that in my time here—and it is seven and a half years, although it is not as long or maybe as distinguished as that of many of my honourable friends across the aisle—we have had many a heated debate on many a government bill. I might add, much of that in my experience took place during minority government. We saw the best of the British parliamentary system at work, a bit of give, a bit of take.

During minority government we would see the Minister of Consumer and Commercial Relations—and how sweet it is to see the member for York East ensconced over there with the member for Sudbury East—it reminds some of us of the happy compromises of an earlier day on important legislation that made this place work in the face of strong opposition.

Mr. Bradley: And without closure.

Mr. Conway: And without closure. My friend the government House leader knows what it is to be facing a whirlwind of parliamentary opposition on a sensitive issue that affects his own Metropolitan community, namely, the Toronto Islands legislation. The Minister of Intergovernmental Affairs (Mr. Wells), the government House leader, can be a very sensitive and judicious man when left to his own devices.

When left to his own devices, the Minister of Intergovernmental Affairs can be and has shown himself to be keenly aware and very sensitive to the dynamic of this place.

My point is this: If Mr. Speaker looks at the recent experience of this place, he will see many a debate that went on for a long time that was resolved not by the ad hoc and senseless reference to parliamentary practices away from this place, but we saw those contentious matters resolved by reference to the ingenious dynamic of this place. I think that ought to govern us with a bill which, however important, is not so important as to force into our practice something as wrong as the way in which government notice of motion number 11 is brought to us at

this particular time. It must be underlined that we have a way, tried and true, of sorting out the various competing interests that usually are at the base of a debate in this Legislature.

My question to the Minister of Education is that if her colleague the Attorney General on family law reform, if her colleague the member for York East, the current Minister of Consumer and Commercial Relations on occupational health and safety and on other labour legislation, if her colleague the former Solicitor General on the police bill, could work within the greatness of our past practice, why is it that she cannot? What is so compelling about her situation that a practice which has served this assembly so long and so well must be thrown out with the dishwater during the week of February 16, 1983? I say that in all seriousness and I hope in all fairness to my friend, the Minister of Education.

What I do not like is the story that is being put about this place and the precincts beyond, which is: "Not to worry, ladies and gentlemen, my government will not muzzle the parliamentary place. Oh, no. We do not rule the Legislature with that kind of attitude. We are very interested, very anxious and very willing to discharge our responsibilities in a reasonable, fair-minded way."

"But," will say the Premier, "But," will say the Minister of Education, "you ought to know that 90 some hours have been spent by the House on this legislation."

I have to say my friend the minister, was so exercised last night, as was her colleague the Premier, when I suggested and dare I repeat, they tell the whole truth. The whole truth of the situation is very much at variance with the impression that is being left by the government in this matter and that is that somehow the House has had this bill since May and we have spent countless hours dealing with it in a normal matter of course. When in fact the vast majority of that time has been taken up by the committee stage and within the committee stage, in the entertainment of public submissions, I strongly resent the suggestion that is being put about this place and the Ontario community beyond, that we have had all kinds of time to deal with Bill 127.

We have had some time. By my calculation, we have had the equivalent of three sitting days in the committee to look at it clause by clause. We spent tens of hours—as we should on such a bill—listening to the submissions of members of

the community, parents, teachers and others who have a very keen interest in this legislation.

5:10 p.m.

It does nothing for the purity of the water in this parliamentary well to have members of the government going around saying, "Our time allocation closure is justified because the House has had 90 hours to deal with this legislation and you"—the man on the street—"would not disagree that 90-odd hours is a reasonable time to do any public business."

That is not a very wise course of action for any minister of the crown to take on such an issue. It is at variance with the reality as we know it and it is at variance with the reality as honourable members in this place know it. I want to stand here today and correct the record, because I have heard too much of that in the past 36 hours to allow me to sit in silence any longer.

I read the comments made by the minister last evening in this connection. She makes absolutely no effort to do anything but create the impression that the House has been seized with this almost regularly since May 1982, with so many hours that one could not conceive of any more being required.

The Deputy Speaker: Do you not think you are being repetitive?

Mr. Conway: Mr. Speaker, I think the minister's opening statement last night is an important place for me to begin.

Interjection.

Mr. Conway: I want to say to the member for Kingston and the Islands (Mr. Norton) that I have to believe he—coming as he does from that historic community in the eastern part of the province—will want to listen carefully to what his colleague the Minister of Education is doing to the practices of this assembly. I would hope that he, above and beyond most of the members of the executive council, would understand that what is being done here is to be resisted by any member of the assembly who has an understanding of and a sensitivity for the great past practices of the Ontario Legislative Assembly.

Interjection.

Mr. Riddell: He should not only deal with environmental pollution but also democratic pollution. That is what is happening. A real erosion of the democratic process is taking place. Maybe he should address himself to that.

Mr. Conway: The Minister of Education reminds me of a great phrase about the great

Roman politician and philosopher Cicero. It was said he was the accusative case. When I see the threatening finger of the Minister of Education, I think of that line about the accusative case.

I want to say to the minister, who is perhaps getting a little nervous about the time I am taking to deal with her motion—

Interjection.

Mr. Conway: I want to say to my friend the Minister of Education—

Hon. Miss Stephenson: Do not call me your friend after what you have just been saying.

Mr. Conway: I can assure my parliamentary colleague the Minister of Education that whatever I do in this debate I will do in conformity with the past practices of the Ontario Legislature and I will abide by the rulings of our standing orders. I will use whatever rules are written into our standing orders and are part of our past practice.

If I have any regret, it is the regret that I know, having read government notice of motion 11, that the minister cannot and will not play by the same rules. Continuing in reference to my parliamentary colleague the member for York Mills's intervention last night, she said: "I have listened very carefully to all these points of view. It may interest you to know, Mr. Speaker, that 109 presentations were made to the committee by boards of education, members of teachers' federations, trustee groups, parent groups, community organizations and individual" —

[Interruption]

Mr. Conway: My friend the member for Timiskaming, offers a timely warning. The member for Brant-Oxford-Norfolk says, sort of sotto voce, that the member has died. Having seen yesterday's *Globe and Mail* about what happened to the poor Undersecretary for Wales in Westminster at a time when I heard the Minister of Intergovernmental Affairs imploring us to every precedent that is Westminster, I really am worried about anyone dying in this place because, of course, the traditions of Westminster will not allow us to have an inquest, because of course we would be—

The Acting Speaker (Mr. Cousens): The member will continue speaking to the motion.

Mr. Conway: Thank you, Mr. Speaker, it is a perfectly valid point that you make.

If I might, I will repeat the quotation so there is no confusion in what I am trying to say. The

minister said last night at about 10:20 p.m.: "I have listened very carefully to all these points of view. It may interest you to know, Mr. Speaker, that 109 presentations were made to the committee by boards of education, members of teachers' federations, trustee groups, parent groups, community organizations and individual ratepayers or simply interested citizens. In all, 143 briefs were submitted to the committee and each one was read, analysed and deeply appreciated. There was a great deal of listening and consultation through all that period. This process has brought us to this point in debate."

I submit to you, sir, that however the Minister of Education might feel about that process—I have to take her at her word, and she presumably believes all that she has said—she has absolutely no right and no place to be making those judgements for anyone other than herself, and least of all on behalf of the 124 other members of this august assembly.

As they say in Parliament, Mr. Speaker, with all due respect, that is your job and that is the job of the various committee chairmen. I can appreciate the minister feeling as she does in that respect. That is quite a list of presentations.

Let me reiterate. By any comparison with major bills in other committees in other years and in other parliaments of our Ontario experience it is, in many cases, nothing much more than the ordinary. I have not done a count but I am sure I could do so and find that this is a very ordinary summary, given the kind of bill that we have.

The minister has a right to make that determination in her own mind, for her own satisfaction and for the comfort of her departmental associates, but she has no right, and less place, to make that judgement for any of the others in this assembly.

I would have thought that the minister would have, in conformity with past practice, allowed the bill to come into the House for a routine committee of the whole discussion. I said, in the debate on the point of order yesterday, that we saw that on Monday night I believe with, in some ways, a more contentious bill because it affects people beyond the city of Toronto. That was Bill 138, An Act respecting the Protection and Promotion of the Health of the Public. We saw the Minister of Health bring that bill back into committee of the whole.

5:20 p.m.

I was a more active participant in the social development committee hearings on that legislation than I was with respect to Bill 127. In fact,

I well remember being in hearings on Bill 138 and going from time to time to see my colleague the member for St. Catharines as he was upstairs in room 228 in the rather heady environment of those deliberations on Bill 127.

I am sure it was one of those times when I went in and I remember the member for St. Catharines inviting me to stand back and watch the cobra-and-mongoose routine between the very outstanding Mrs. Jane Dobell of the Ottawa Board of Education and the Minister of Education, if I am not mistaken. It was a sight to behold to see that chemistry.

But to return to Bill 138, we saw the Minister of Health bring it back—late in the session, I might add. I know honourable members opposite were lobbied very intensively, as we were all on this side, about some of the controversial provisions with respect to family life education and such counselling as was a part of the principle of that legislation.

We saw that bill come back late in the session amid a lot of controversy, amid great pressure on all members, and I think it is to the credit of the Minister of Health that he was able to do that. He listened to my friends in the New Democratic Party, and my colleague the member for Hamilton Centre (Ms. Copps) put a number of amendments. He accepted one.

Hon. Miss Stephenson: He changed the name of the bill.

Mr. Conway: That's right, and I agree with the Minister of Education, it was perhaps not a major amendment. I would believe it not to be a major amendment, but it was an amendment.

But it was the process. We know that when the Minister of Health wants to play hardball he can be tough, he can be mean, he can hit where it hurts and he can do so without much discrimination. But the Minister of Health, probably because he was reared at his great father's feet—young Larry could not have been any more than five when father Allan walked into this place in 1951—understands the genius of this place and how it works and the kind of chemistry required to take controversial legislation through to its conclusion late in a winter session.

Mr. Bradley: He understands Bill 127.

Mr. Conway: My friend from St. Catharines interjects, "He understands Bill 127." I might even say, if I might in a digression, that my friend from St. Catharines has privately confided to me that the Minister of Health has had to go to one of his own clinics with the Attorney

General in tow to secure treatment for their severely blackened and bruised shins. But I will not make much of that, Mr. Speaker.

The Acting Speaker: No, please do not.

Hon. Miss Stephenson: Mr. Speaker, that really is factually incorrect.

Mr. Conway: The minister says it is factually incorrect, and I have to say she may very well be right.

Hon. Miss Stephenson: Then why don't you say so?

The Acting Speaker: Would the honourable member please deal with the motion before the House?

Mr. Conway: Might I qualify that by saying that in a metaphorical sense they have been blackened and bruised somewhat publicly and somewhat routinely over these past number of months with respect to Bill 127.

But seriously, I cite the experience of this past week with Bill 138 as an example to the Minister of Education of how we do business here. The member for Sudbury (Mr. Gordon) is here, and he deserves a lot of credit for his patience, for his dedication to the cause with a bill that in some major ways, as he knows, I strongly object to in its organizational structure.

But he brought it forward. It took many months, I suspect almost as much time as Bill 127—maybe not as much, but it was getting there—and towards the end there were issues of great controversy. Yet we brought it forward in the last days of this fall-winter session of 1982-83, and it was discharged the other night with no reference either to government notice of motion 11 or, I might even say, to standing order 36.

Throughout this piece I have tried to reiterate that we have a way of doing business here. It is not perfect. God, it has been strained. God knows how it has been stretched. My friend the member for Stormont, Dundas and Glengarry could regale us, I am sure.

Mr. Brandt: This is an example right now.

Mr. Conway: I repeat to my friend the member for Sarnia (Mr. Brandt) that I feel strongly about this motion and propose to talk as directly and meaningfully to it as I can. He can think whatever he wishes of what I am doing. I say to him, with a bit of a smile on my face, that whatever I do in the discussion and deliberation of government notice of motion 11, I will do it in strict adherence to the standing orders of the Ontario Legislature and in strict

conformity with the parliamentary practices of the Ontario Legislative Assembly.

My great regret is the knowledge that my parliamentary colleague the member for York Mills and the Minister of Education cannot and will not play by that same rule. That saddens me. Quite seriously and openly, I want to repeat that.

I have great respect for many of my honourable friends sitting in that rump. I see the makings of a future front bench. I invite my friends the member for Sarnia, the member for Wentworth (Mr. Dean), the member for Nipissing (Mr. Harris), the member for Brantford and the member for Parry Sound (Mr. Eves) to put their minds, as private members, to the seriousness of this guillotine. In a sense, it is their heads which are being severed by the good doctor from York Mills. As members of the assembly, we have a shared concern that must be addressed. That is the intent of my approach to the matter at hand.

There is no question that a number of opportunities have been afforded the beleaguered, embattled Minister of Education. There is, as I said moments ago, the past practice of bringing it in for the committee of the whole debate stage. The practice is clear. The chairman of the standing committee on procedural affairs, the member for Burlington South (Mr. Kerr), knows I am right. Our parliamentary practice at that stage has always been to bring it back for a moderate debate on the major issues and the principal amendments to the legislation. I do not think there is a question in anyone's mind that that was the past practice unless something else was arrived at by unanimous consent. That is the practice as I know it.

I invite the member for Burlington South, perhaps at a later time, to qualify or correct that. I think he is nodding in the affirmative.

Mr. Kerr: I just coughed.

Mr. Conway: I used the word "moderate," a moderate amount of debate on the principal issues of the major amendments. At the end of that stage, if there is no agreement to proceed, there is a variety of things in our standing orders, in the face of strong opposition, that can be done.

One of the interesting things about the opposition in this case is that it is not based on party lines. The opposition is very ecumenical. The member for St. George and the member for High Park-Swansea have made no bones about what they think of Bill 127. They have done it in my presence, in a public place and in a public way.

The past practice in these cases has been for the minister to consider withdrawing the bill—not forever, but until such time as tempers cool, calmer heads prevail and conciliatory amendments can be rethought, re-entered and reworked.

Mr. Kerr: Deals made.

5:30 p.m.

Mr. Conway: I did not pick up the interjection of the member for Burlington South, but all of us know of cases where that has happened.

Earlier I mentioned former Solicitor General John MacBeth, the very fine former member for Humber. His police legislation was troubled a number of times and it was withdrawn once, if not twice. There was the Toronto Islands bill, where the Minister of Intergovernmental Affairs knew he had put both feet into a hornet's nest. In that marvellously smooth and orderly way the member for Scarborough North withdrew so gracefully, it was a sight to behold.

What does the Minister of Education do upon encountering a hornet's nest? She plants it squarely on her head and lets the infectious wasps sting her and infuriate her more. Members know what that does to the mood of the session in its 11th hour. I cite for the attention of my five friends—

Interjections.

The Acting Speaker: Speaking to the motion. Order, please, by other honourable members.

Mr. Conway: I draw to the attention of the five members I singled out moments ago sitting in the upper corner of the government's back bench—a distinguished array of talents and ministerial potential, I must admit—that to understand why this government notice of motion is so distasteful is to understand that there are alternatives. I just mentioned a couple of the ways.

If all else fails, if we cannot get agreement, if moderate debate on the principal issues and major amendments in the committee stage before third reading comes to naught, then we know our forbears in this distinguished place had a contingency plan to deal with that: standing order 36.

Mr. Martel: They never use it.

Mr. Conway: My friend the member for Sudbury East points out that it has been rarely used. If I am not mistaken, until it was used on the Suncor matter, it was some 40 or 50 years before that kind of motion could be found in practice in the Ontario Legislature. It is there

and it is not there by accident. Its relatively infrequent use is no accident at all.

Through the chair to my honourable friends opposite, the members for Timiskaming, Stormont, Dundas and Glengarry, Lakeshore and elsewhere, I have to say that there is a way to break the jam. There is an alternative to government notice of motion 11 which is not popular.

As the Premier left the place last night, he said, "Oh, we know—don't we know—how the opposition will howl if we invoke standing order 36." We will howl because it is an important part of our duties. Our parliamentary responsibility is to cry out in resistance if we think the government's proposals do not score with the public good as we see it. Our howl can be as predictable as that incredible standing ovation the super hawk, the Premier, received yesterday in question period.

Interjection.

Mr. Conway: My friend the member for Kitchener (Mr. Breithaupt) was up. Exactly.

Interjections.

The Acting Speaker: Order. The member for Renfrew North has the floor.

Interjections.

The Acting Speaker: Order. The member is speaking, I hope, to the motion and other members will give him the respect he deserves.

Mr. Conway: I think it is important because the Premier said in a way that was clear to me: "We will not use standing order 36, because you people will howl. You are going to cry out at some injustice." So what? When an opposition howls its outrage at government action it considers impolitic and unwise, wrong-headed and misguided, that is a very important, basic part of the parliamentary dialectic we know is so central to this place.

I went home last night and I thought about the comment made by the Premier—and I speak only as a private member—

The Acting Speaker: Speaking to the motion.

Mr. Conway: Yes, Mr. Speaker.

There is a way for the beleaguered, embattled Minister of Education to rescue herself from this corner into which she has painted herself. What is so attractive to me about that is that it is the way of our standing orders. It is the way of our forbears. It is the way of our tradition. It is not the way of some extraneous place that might, in this instance, provide some conve-

nient crutch on which the government might lean.

Somewhat later I intend to deal more directly with the role of Westminster in this whole business of time allocation.

Mr. Brandt: We have been looking forward to that.

Mr. Conway: I hope the member for Sarnia will take this, in an ambassadorial way, to the government House leader when he talks to him about time allocation. The way of Westminster ought to be relevant here.

In September 1975 the Camp commission on the Legislature/private member's role waxed at length on the whole question of time allocation. Perhaps this is a useful opportunity for me to review what that debate was all about, because it is central to understanding our upset and objection to government notice of motion 11.

So there will be no confusion, the government House leader says time allocation can be justified on the basis of a tradition elsewhere, notwithstanding the fact it has no place in our past practice. He says there is such a tradition in the Mother of Parliaments, and we ought to take some guidance in that connection.

I have gone on at length about the role of British parliamentary tradition here, and I certainly accept there is a clear relationship between Westminster and here. I will deal later in reciting what I thought were the excellent comments of Professor C. E. S. Franks, in his excellent article, "Procedural Reform in the Legislative Process", and the response to that by one John Holtby. They are contained in a volume, *The Legislative Process in Canada: The Need for Reform*, edited by W. A. W. Neilson, and J. C. MacPherson. I think it important to understand that this Legislature has not been silent on the question of time allocation.

5:40 p.m.

We have had a recommendation from a royal commission that was very straightforward and quite assertive—in the positive, I might add—that was responded to by a committee of this assembly. The committee was chaired by no less a person than the very distinguished former Speaker of the House, the long-time Conservative member for Ottawa West, Mr. Donald Morrow.

I think it is absolutely relevant to the government notice of motion 11 what the fourth volume of the Camp commission report had to

say about time allocation or closure by agreement. More particularly I think it was relevant how that was then responded to by the so-called Morrow committee of the Ontario Legislature in its second interim report of June 1976. It is not a particularly long reference. It appears under the subchapter heading, "Time Allocation or Closure by Agreement"—on page 49, if that is necessary for Hansard:

"The commission would be remiss at this stage of the report if it did not make some comments on a subject and a parliamentary mechanism which has caused much contention in Canada, particularly in the federal Parliament. In Britain a form of closure, or 'the guillotine,' has been used effectively for many years."

I would like to stop there, because I know the member for York South was engaged in the debate earlier on about whether or not this time allocation is a form of closure. They have been so anxious, they have been precious on the point across the way to say, "Oh, no, no, no"—if I can quote the Minister of Intergovernmental Affairs who was saying those things on Metro Morning a few months ago—"Oh, no, no, no, the guillotine is not closure." Very interesting, when you look at the literature.

When you do debate it, the answer to the question, "Is the guillotine a form of closure?" is, "Oh, yes, yes, yes," Mr. Speaker. I think it is important to point out that in the fourth volume of the Camp commission report of 1975, it says that "in Britain a form of closure, or the guillotine, has been used effectively for many years. It is seen by members of all parties as a necessity if the legislation the government requires is to be achieved."

In the House at Ottawa, an amended form of closure was put into the rules of the House in 1969 but it has not had any significant use. Of course, I think the experience post-1975 is somewhat different.

Commissioners Fisher, Camp and Oliver said, "We think it can be fairly said, aside from any inadequacies in the procedural mechanism as written, that the reason it has not been used is the general distaste for anything which suggests that the government is steamrolling the opposition in the House or is afraid of a protracted debate."

It is the government member for Brantford who might, after the fashion of one of those dogs in the back of a car, wave in a funny kind of way some sort of protest. But that clearly is a very

well spoken sentence. Let me repeat it: "We think that the reason it has not been used"—up until 1975, in Ottawa—"is the general distaste for anything which suggests that the government is steamrolling the opposition in the House or is afraid of a protracted debate."

Does that not remind one of what we have sensed from the member from York Mills as she struggled to hold together that fragile parliamentary team of hers in this very difficult issue of Bill 127?

The commissioners continued: "It is obvious that a government in the Legislature of Ontario has the opportunity to end debate on legislation at several stages of a bill merely by moving that the motion be now put, and having it approved. This has not been the practice, and for the same reasons which have kept governments in Ottawa from invoking closure."

Again, I believe the Camp commissioners are essentially agreeing with the thrust of my argument on the debate about the government notice of motion 11. Governments, understandably, do not want to be seen to be muzzling, in whatever way, the debate of the House and any of its committees.

"Hand in hand with Britain with the mechanism of closure or the guillotine on debate, is a thorough discussion and prescheduling of the legislative intentions of the government. That is, agreement is sought from House leaders as to the amount of time each proposed measure should be given, in total and often in the respective stages. In those cases where there is disagreement on the time planned among the participants, the government representative, after discussion, gives notice of the government's intention with regard to time. In other words, notice of closure follows thorough and serious discussion with the opposition for scheduling the government's business."

I think the government House leader went to some pains in both the December debate and in this context to draw our attention to the partial—perhaps it is more than just partial—adoption of the Westminster technique that we have come to with the House leaders' panel in this place. He is not altogether wrong, I might add. There is clearly a well-established practice to try to sort out those kinds of agreements, within the framework of our past practice. The commissioners then go on to say:

"The reason we commend this procedure and the imperative of preliminary discussion and arrangement of business may seem paradoxical.

The Ontario Legislature has not been the 'choke-hole' for governmental bills that the Canadian House of Commons tends to be." Quite frankly, in my time here since 1975, I do not think there has been any real choke-hole developed in terms of our business. Quite to the contrary—

Mr. Gillies: Quite right.

Mr. Conway: As my friend the member for Brantford agrees, I am quite right in saying the statement of the commissioners in 1975 could be extrapolated with ease seven and a half years later.

They continue: "Ontario processes a larger legislative load. The question comes immediately: why the need for a formal closure mechanism if there is not a major problem for the government in getting its legislation? The answer is related to the often frenetic pileup of bills at the recesses or at the ends of the sessions, the evidence of inadequate or uneven scheduling of business throughout a session and the chronic complaints of opposition parties over the unbusinesslike nature of the flow and scheduling of bills."

A lot of that has been dealt with by some of the conventions that have been developed here since 1975. With some exceptions, I feel a pretty good orderly disposition of the legislation has been arrived at. We have adopted a variety of things. Outside of the session during recess period, we now take bills into committees that would not normally have been done there before.

That part of the fourth Camp commission report goes on: "It may be well for sceptics to say: 'The government proposes and the opposition disposes.' The goals should surely be: (a) to give certain opportunity for partisan criticism and defence of measures; (b) to ensure that after such opportunity is provided, the government can have its bills; and (c) to be sure the opposition knows what is coming and has a reasonable amount of time to prepare to take part."

5:50 p.m.

I think the Minister of Intergovernmental Affairs and government House leader has gone a long way in the last couple of years. I also want to give credit to his predecessor the Deputy Premier (Mr. Welch). He showed great sensitivity in his time in working towards a relief of those problems.

I personally think it is the goodwill, particularly of the government House leader working

in close concert with the opposition House leaders, which has brought that about. It has not always been that way. I well remember in 1977 we were getting ready to bring the House down and we were all wondering what pretext would ignite the bomb. It ultimately came on a resolution from my colleague the member for Perth (Mr. Edighoffer) in a rather minor amendment. But by and large we have had little—

Mr. Kerr: Hughie, were you responsible for that?

Mr. Conway: Yes, that was the Edighoffer election in 1977.

I remember it was difficult to get a sense of the government's intentions that April 29, 1977, when a certain feeling had overcome us all that the plug was about to be pulled and that the neurosurgeon, the member for York East, would be joining us forthwith.

"We commend the provision in the standing orders for a mechanism to schedule the length of debate. It should only be invoked, of course, after discussion about the scheduling and the times among the House leaders, and after notice is given to the Legislature, preferably on the Notice Paper, that on such and such a measure and at such and such a stage, the government intends to close debate after so much time has been given to it. We underline that such a procedural arrangement fits in with other recommendations we have made regarding hours of sittings and extensions of sittings." That is so important a part of this whole business.

I repeat what I have said because I do not believe I can dissemble. I said 28 hours ago—no, it was actually Monday morning in the presence of the Minister of Revenue—that I would be the first to look at time allocation because I am restless, if it can be believed, about some of the ordering of the business of this place. I understand the frustration. I have had invigorating discussions with my colleague the member for Brant-Oxford-Norfolk on how we might move in that direction.

But as has been said by others including the New Democratic House leader, it is going to be a deal. It is going to be a package and there are going to be tradeoffs. Members from the far distant regions want to look at the way in which the 20-odd hours of legislative time are divided. We would like to take that out of the 19th century. We would like to end the built-in prejudice for the city of Toronto and, dare I say it, southwestern Ontario farm members, and for—

Interjection.

Mr. Conway: I want to be fair about this.

Mr. Nixon: Dare not.

Mr. Conway: I dare not. But when members from eastern Ontario and members from the north look at this goofy way we order the 20 hours of business, it is ridiculous. I really think I would be as anxious to—

Mr. Foulds: Goofy is exactly right.

Mr. Conway: I have even more sympathy from members like the distinguished member for Port Arthur (Mr. Foulds) and his friend the member for Fort William (Mr. Hennessy). To be dragged down here for a Monday afternoon but not a Monday night sitting, and Tuesday afternoon but not a Wednesday sitting is very inefficient.

Hon. Mr. Wells: That is what you want.

The Acting Speaker: The honourable member will speak to the motion.

Mr. Foulds: We are talking about time allocation.

The Acting Speaker: No. The honourable member will speak to the motion. He is diverging.

Mr. Conway: The motion is time allocation and—

The Acting Speaker: Specifically to this motion; the member is going a little beyond.

Mr. Conway: I am talking about the time allocation—

Mr. Foulds: So did the minister last night, Mr. Speaker. Let us have even-handed justice in this place.

The Acting Speaker: Order.

Mr. Conway: Mr. Speaker, I am prepared to talk to the government House leader, at least as a private member, about allocation. I dare think I am prepared to go maybe further than a lot of other people, but it has to be done in the fullness of time. It has to be done in a reasonable and responsible way. It has to be done in a package deal so other things are considered in exactly the way the Camp commission intended.

Hon. Mr. Wells: Are you taking over from the member for Brant-Oxford-Norfolk?

Mr. Conway: I am not. As I said, I am talking about my role as a private member. We are going to have disagreements over here on some of these issues so the minister should not for a moment be under any other impression. I will have different priorities in terms of time tabling than members who live in the shadow of this

great place. I do not for a moment dispute that and the ruler worked that out in a creative way.

I simply say to the government House leader that, when time allocation was raised in the fourth report of the Royal Commission on the Legislature, the Camp report, it was talked of in a positive way, but as part of an overall reform of the way we order our business and ourselves around here.

Going on from that reference, "In this and in an earlier report we have stressed the need to arrange the schedule of business more evenly throughout the legislative year." Hear, hear. "We have suggested that the ministry and its senior advisers, who are responsible for so much of the content and drafting of measures, should give a higher priority to fitting their work into the time and procedures of the Legislature."

Is that not interesting? The poor commissioners were making a valiant effort to rejig what had been perverted with one-party dominance since many years before. That is one of the main findings of the Camp commission. They came to look at the Ontario Legislature and found a pathetic creature, an atrophied soul that was scarcely a pale shadow of what had been intended.

They were valiantly trying to set in motion a series of reforms and procedures to restore the primacy of parliament. It would in the same way understand the importance of the executive council, but would restore the primacy of parliament. That was something the commission, as I read their five excellent reports, found to have been perverted over the years of the modern experience.

Hon. Mr. Wells: Could I ask my friend a question?

The Acting Speaker: Is this a point of order or a point of privilege?

Hon. Mr. Wells: Mr. Speaker, I was just going to ask a question on the Camp report. I am very interested. The member has quoted a lot of the Camp report and his comments about this Legislature. Why would the chairman of that report know more about this Legislature when the member says that a minister who has never been a private member of this Legislature, yet sits here and was elected, does not know anything about the processes here?

Mr. Conway: Mr. Speaker, I think it is important for you to note that the government House leader rose on what I do not know.

An hon. member: It is interesting the Speaker did not rule him out of order.

Mr. McClellan: That is because he sits on the government side.

The Acting Speaker: I take offence at that.

Mr. Conway: If the government House leader, by his performance, is giving a hint of his preference for the new rules in Ottawa where members have an opportunity to get up to question one another, I am with him on that. It is good to know that—

Hon. Mr. Wells: I am all for that. They have time allocation too.

Mr. Conway: I am trying to deal as meaningfully as I can with the whole business of time allocation and I have obviously upset the government House leader. He is stung a little by the reference last evening or this afternoon because I suggested I did not really expect the members of this assembly, whose entire parliamentary experience has been on the executive council, to understand the dynamics of parliament.

Hon. Mr. Wells: How does Camp understand it better than we do?

Mr. Conway: This represents the input not only of Dalton Kingsley Camp, but also of Farquhar Oliver, a 42-year veteran of this place, and of Douglas Fisher, an eight-year veteran of the House of Commons. I presume their half-century of parliamentary and legislative experience counts for something in these words I make reference to now. It is in that way I understand the conclusions of the report.

To conclude the last paragraph of the time allocation reference in the fourth Camp report:

“There will be occasions when no agreement on the length of time for debate can be found among the House leaders.” Nobody can disagree with that. “In such cases the government House leader has the option that he now has of moving the motion be put. In time, after some experience with the mechanism, we believe both the government and the opposition parties in the Legislature will appreciate the efficacy of the mechanism, and the pivotal part it can play in regulating the flow of business and the better consideration of motions and legislation.”

That concludes that subchapter on time allo-

cation in the fourth Camp report. Their intentions were very clear. They liked it. They strongly advocated it within a package on other things.

The Acting Speaker: It being close to the hour of six—

Mr. Conway: I would like to make just one last comment and then note the clock.

Mr. Speaker, that report was submitted to a distinguished committee of this House, which was all the more distinguished because it was chaired by a former Speaker, the longtime member for Ottawa West. It was a committee on which my honourable friend the chief government whip sat as well. They looked at that carefully. Their conclusion—and it is only a sentence; I will read it from page 15 of the second interim report of the Morrow committee reviewing the Camp reports—is this:

“The committee has reviewed the commissioners’ recommendations on closure and is not prepared to support them. Since debate in the Ontario House is very seldom prolonged, the committee recommends that there be no change in the present procedure, standing order 37.”

I end by drawing to the members’ attention that an all-party committee of this assembly, chaired by a former Speaker of this House, a man who sat here for 28 years, looked carefully at that recommendation and agreed that, however interesting, it was neither timely nor relevant, it was not supportable and it was not accepted.

On that, Mr. Speaker, I am happy to adjourn the debate, noting the hour.

On motion by Mr. Conway, the debate was adjourned.

Hon. Mr. Wells: Mr. Speaker, it would be my preference to sit tonight, but I gather it is not the wish of either of the opposition parties to sit and debate this tonight. I want it on the record that we would be happy to sit here and debate this tonight. But I put the proposition and it was rejected, so I will reluctantly move the adjournment of the House.

The House adjourned at 6:03 p.m.

CONTENTS**Wednesday, February 16, 1983****Oral questions**

Grossman, Hon. L. S., Minister of Health:

Administrative charges by doctors, Mr. Swart, Mr. Wrye. 7694

Norton, Hon. K. C., Minister of the Environment:

PCBs in Windermere basin, Mr. Rae. 7689

Snow, Hon. J. W., Minister of Transportation and Communications:

Canada Coach Lines service, Mr. G. I. Miller. 7695

Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities:

Skills training, Mr. T. P. Reid, Mr. Rae. 7686**University funding**, Mr. Conway, Mr. Grande. 7692

Walker, Hon. G. W., Minister of Industry and Trade:

Closure of American Can mill, Mr. Rae, Mr. J. Reed, Mr. Stokes. 7691

Welch, Hon. R. S., Minister of Energy and Deputy Premier:

Gasoline prices, Mr. T. P. Reid, Mr. Swart. 7688**Atikokan generating station**, Mr. Foulds. 7695**Report****Standing committee on regulations and other statutory instruments**, Mr. Eves, tabled. . . . 7696**Private member's motion****Motion to set aside ordinary business**, Mr. Stokes, Mr. J. A. Reed, Mr. Pope, negatived. . . 7696**Government motion****Consideration of Bill 127**, resolution 11, Mr. Conway, adjourned. 7699**Other business****Correction of record**, Mr. Conway. 7685**Members' remarks**, Mr. Swart, Mr. Bradley, Mr. Rae. 7685**Recess**. 7718

SPEAKERS IN THIS ISSUE

Ashe, Hon. G. L., Minister of Revenue (Durham West PC)
Bradley, J. J. (St. Catharines L)
Brandt, A. S. (Sarnia PC)
Cassidy, M. (Ottawa Centre NDP)
Conway, S. G. (Renfrew North L)
Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
Cureatz, S. L., Deputy Speaker and Chairman (Durham East PC)
Foulds, J. F. (Port Arthur NDP)
Gillies, P. A. (Brantford PC)
Grande, T. (Oakwood NDP)
Grossman, Hon. L. S., Minister of Health (St. Andrew-St. Patrick PC)
Kerr, G. A. (Burlington South PC)
Kolyn, A. (Lakeshore PC)
Laughren, F. (Nickel Belt NDP)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
Miller, G. I. (Haldimand-Norfolk L)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Norton, Hon. K. C., Minister of the Environment (Kingston and the Islands PC)
Pope, Hon. A. W., Minister of Natural Resources (Cochrane South PC)
Rae, R. K. (York South NDP)
Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
Reed, J. A. (Halton-Burlington L)
Reid, T. P. (Rainy River L-Lab.)
Riddell, J. K. (Huron-Middlesex L)
Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
Stokes, J. E. (Lake Nipigon NDP)
Swart, M. L. (Welland-Thorold NDP)
Sweeney, J. (Kitchener-Wilmot L)
Turner, Hon. J. M., Speaker (Peterborough PC)
Walker, Hon. G. W., Minister of Industry and Trade (London South PC)
Welch, Hon. R. S., Minister of Energy and Deputy Premier (Brock PC)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
Wrye, W. M. (Windsor-Sandwich L)



No. 215

Legislature of Ontario Debates

Official Report (Hansard)



Second Session, Thirty-Second Parliament

Thursday, February 17, 1983

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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LEGISLATURE OF ONTARIO

Thursday, February 17, 1983

The House met at 2 p.m.

Prayers.

BIRTHDAY OF MEMBER

Mr. Nixon: Mr. Speaker, while our colleagues are gathering, I am sure you, along with our colleagues in the Legislature, would be glad to know that this is the 60th birthday of our good friend the member for Lake Nipigon (Mr. Stokes), and we wish him well.

I think it would be appropriate if the government would withdraw some of its footling resolutions and unsupportable legislation and we could all celebrate by going home.

Mr. Speaker: The member stole a bit of my thunder. I was waiting for more people to come in. However, I am sure all members of the assembly will join with me in wishing our colleague a very happy 60th anniversary and many years to come.

DELIVERY OF REPORT

Mr. Elston: Mr. Speaker, I have a point of privilege which has developed out of an incident that occurred in my office before Christmas. Before the break there was delivered to my office a copy of a report prepared by the Ministry of the Environment. It was left in my office by special messenger and before I had a chance to look at it the messenger came back, presumably with instructions from the ministry, and removed it from my office.

During concurrences I raised the matter with the Minister of the Environment (Mr. Norton). I had believed at that time he was going to deliver another copy of the report to my office, but to this date the report has not shown. I would respectfully request, Mr. Speaker, that you investigate the incidents that took place before Christmas and advise what can be done to protect the sanctity of the members' offices with respect to this type of operation.

Hon. Mr. Norton: Mr. Speaker, I will check to see if I can produce a taxi chit—I hope and believe I can—to prove to the honourable member the report was sent to him by taxi rather than by mail. I do not know why it did not arrive in his office. Perhaps the taxi driver went

to the wrong building, or perhaps the member has to do more to attract attention in the news so they recognize his name.

Interjections.

Mr. Speaker: Let us not have this disintegrate into a debate.

Mr. Elston: I am not debating, Mr. Speaker, but obviously the minister does not understand what has happened. If he checks Hansard he will find an indication that he was prepared at the time of concurrences to send me a copy of that report. He has not sent the report to me. He is now trying to suggest that the material I have presented here today is not true. I resent that very much, and I think he will now have to go back, look for that report and make it available to me, as he said he would during concurrences.

I would ask, Mr. Speaker, that you make an inquiry to check on whether or not it is proper that a ministry can ask one of its officials to come into my office and take a report that I have not had an opportunity to review. That really is the issue.

Mr. Speaker: Once again you raise a matter and ask me to make a judgement on it. You are also asking me to investigate, which I am not empowered to do. I do not have the authority to do so.

However, the matter has been raised. I am sure the minister will take note of it and will give you a proper response.

CONSTITUENTS' REQUESTS

Mr. Van Horne: On a point of personal privilege, Mr. Speaker: I think you will agree that the privileges of individual members of this assembly are directly related to their responsibilities. One of these responsibilities is to make reasonable requests for our constituents, and we do that either in the chamber, in committee or, if necessary, at times in the cabinet minister's office.

I do not think anyone should consider making a reasonable request on behalf of a constituent to be begging or mooching, as it was referred to by the Minister of Community and Social Services (Mr. Drea). For the record—and I think this is important—neither I nor the people of

London North should be considered beggars or moochers, as they were called by the minister.

I think beyond this the minister should reconsider the comment he made when he said, "Perhaps, then, I will revoke the cheque." I do not think it is a proper use of his authority as a cabinet minister to make such a threat to me or to any of my constituents, and I want that to be on the record.

Hon. Mr. Drea: Mr. Speaker, I was referring to a personal request the honourable member had made. I was in no way talking about his constituents. I would think that a member who had on that occasion—whether it was inspired by something or not I do not know—an extremely low view of the minister would not want to be associated with him on a personal request.

FUND-RAISING

Mr. Roy: On a point of privilege, Mr. Speaker.
[Applause]

Mr. Roy: Is it not wonderful, Mr. Speaker, that you are missed around this place? I am glad to be back.

Interjections.

Mr. Speaker: Order.

Mr. Bradley: Were you not paired with the Minister of Transportation and Communications (Mr. Snow)?

Mr. Speaker: Order.

Mr. Bradley: He was paired with the minister.

Mr. Speaker: Order. I am not sure what precipitated that reaction. I thought maybe it was because I had stood up.

The member for Ottawa East (Mr. Roy) has a point of privilege.

2:10 p.m.

Mr. Roy: Mr. Speaker, I think it is somewhat offensive to the Provincial Secretary for Social Development (Mrs. Birch) that nobody missed her when she was not around.

Mr. Speaker: That is not a point of privilege.

Mr. Roy: No; that was just an off-the-cuff comment. I have not got to my point of privilege yet.

Mr. Speaker, if I may: In this assembly we are all referred to as honourable members. In fact the seating plan for this place clearly indicates that we are referred to by different parties. We are referred to as Liberals, Conservatives or New Democrats.

An hon. member: And Liberal-Labour.

Mr. Roy: And Liberal-Labour, as one of my colleagues has said.

But, Mr. Speaker, as you know, over a period of years some of us who are proud to be Liberals have been receiving, continuously, correspondence from the Tory party asking for funds and we have thrown it in the basket. However, lately, it has gone too far. They have my name—

Mr. Speaker: Order. That is not a point of privilege.

Mr. Roy: No, no. They have my name, Mr. Speaker, on a PC fund credit card. That is going too far.

Mr. Speaker: Order. The member for Ottawa East will please resume his seat.

Mr. Roy: They will have to stop that. That attacks my integrity and reputation.

[Later]

Mr. Rotenberg: Mr. Speaker, just briefly, to correct the record: The member for Ottawa East stated that nobody missed the Provincial Secretary for Social Development. I would like to say I did miss her very much. I want to correct the record.

Mr. Speaker: I might just make a general observation that she would be very difficult to miss now.

RESPONSE TO WRITTEN QUESTIONS

Mr. Di Santo: Mr. Speaker, I would like to bring to your attention that I tabled questions 693 and 694 on January 25, and question 696 on January 28. In violation of standing order 81, I have not received any answers from the minister. I would like your advice.

Mr. Speaker: I am sure the government House leader (Mr. Wells) will take note of that and make sure that oversight is corrected.

Mr. Bradley: I rise on a point of order, Mr. Speaker. I was looking through the orders and notices in respect of the application of standing order 81 of our procedures.

My colleagues and I are very concerned about the fact that approximately 150 questions were placed on the Order Paper during September and October 1982 and remain unanswered to this time. In many cases the information was promised to us on or before December 17. I appreciate that it does take some additional time. For instance, if I looked at one of the questions, I could understand that—

Mr. Speaker: I will call the honourable member to order because that is not a legitimate point of order. However, the House leader, I

know, has taken note of the member's request. Undoubtedly, he will respond very quickly.

DELTA PLATING CO. LTD.

Mr. Mackenzie: On a point of order, Mr. Speaker: Last Thursday, in response to my leader (Mr. Rae), the Minister of Labour (Mr. Ramsay) indicated he would take immediate action regarding the fired East Indian workers at Delta Plating. I understand they have been told by his ministry, or the Ontario Human Rights Commission to be accurate, that they would be optimistic to expect any action in less than three to three and a half months.

Mr. Speaker: Order. I would suggest the honourable member put his question to the minister at the appropriate time.

MUNICIPAL ASSESSMENTS

Mr. Peterson: Mr. Speaker, on a point of privilege, to correct the record: In this morning's Globe and Mail a letter from the Minister of Revenue (Mr. Ashe) was published, part of which read: "It was also reported that I intended to propose legislation to allow Metro council to request reassessment for the whole region, and thereby impose reassessment on the city of Toronto. I said that we were considering such legislation to enable regions to request area-wide consolidation of reassessments, which have already been undertaken at the request of the individual municipalities under our regular section 86 program."

I now refer to the statement of the Premier (Mr. Davis) in the House on February 11 when he said, "The government is not contemplating a change in the law." He went on to say, "The government is not contemplating a change that would give to the Metropolitan Toronto council the legal right to have Metro-wide reassessment imposed." There is a very distinct difference of opinion, and the minister may want to take this opportunity to clear that up.

Mr. Speaker: That is hardly a point of privilege.

Hon. Mr. Ashe: Mr. Speaker, I think the issue should be clarified. If the Leader of the Opposition would read the basis of my letter, it was in response to the initial article in the Globe and Mail. It was delivered to the Globe and Mail the next day, and, as is quite typical, it was published about a week later.

Mr. T. P. Reid: The minister is so bad even Robert Duffy does not like him. When Robert Duffy does not like someone, that is bad.

Hon. Mr. Ashe: There is no problem with that, that is fine.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Ashe: Even though the members opposite cannot read what a calendar says, time has overtaken my letter and the Premier has made a statement in that regard with which I have no problem.

ORAL QUESTIONS

STATUS OF GREYMAC AND SEAWAY

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations. He will be aware that thousands of people receiving interest cheques from Seaway and Greymac trust companies continue to have problems in banking and negotiating the cheques received from these companies. I am sure the minister is aware of the hundreds of people who are having trouble negotiating the instruments received from these companies.

I will give some examples: A retired gentleman of the cloth from Kitchener—I could give the names, but I do not want to cause any public embarrassment for these people—received Seaway and Greymac interest cheques for modest amounts on January 27 and February 3. Both cheques were stamped by Touche Ross. Both cheques were deposited on the days payable with the Bank of Nova Scotia, drawn on the respective accounts of Seaway and Greymac with the Canadian Imperial Bank of Commerce and the Bank of Montreal. They are now in collection, and have been for some three and a half weeks and two weeks respectively. At this point, we have no idea whether those cheques will be cashed.

Then there is a retired lady from Ottawa, the major portion of whose monthly income is from Seaway interest cheques. The cheques were received. They have not been negotiated and this lady has not received any money. After exhaustive efforts to have those cheques cashed without success, she is now contemplating selling her house, because she cannot make the mortgage payment. Another gentleman, who had a Bank of Montreal bank draft, totally negotiable, had only "re Greymac" written on the surface. The Bank of Nova Scotia totally refused even to accept this bank draft and would not send this negotiable instrument to the Bank of Montreal on collection.

Mr. Speaker: Question, please.

Mr. Peterson: I want to give the minister some examples of the harm—

Mr. Speaker: Those are plenty of examples.

Mr. Peterson: —that is being rendered by his incapacity through his agents to run these companies.

Another example is of a gentleman with a \$19,000 certified Touche Ross-stamped Seaway cheque, dated February 3, 1983. The bank totally refused to accept that cheque and he had to send it to Seaway and did so on February 11. There is still no response, no information, and no money.

I am asking the minister now to clear up this situation. Will he issue instructions to the banks as well as to the trust companies to make sure no one's regular interest cheques will be held up because of the great confusion that has been caused.

2:20 p.m.

Hon. Mr. Elgie: Mr. Speaker, I can understand the legitimate concern the Leader of the Opposition has as well as I can the concern of those who have advised him of their problems.

I think we can all agree the possession and operation of a trust company under section 158(a) of the Loan and Trust Corporations Act is a relatively new thing in terms of managing a trust company. I think those in charge, particularly Mr. Voelker, acting as chief executive officer of Seaway, and Mr. Taylor, acting as chief executive officer of Greymac, and the staffs of those institutions, deserve a great deal of tribute and credit for the fact that there have been so few problems.

I have said before that if there are specific instances of problems I will very happily consult and discuss these matters with the advisory committee, which consists of five private sector people, as well as with the chief executive officers of those two trust companies. Certainly there will be problems; thankfully they have been few in number.

I understand the confidential nature of some of the information the Leader of the Opposition has. I can assure him it will remain in confidence. If he wishes to give me the particular instances, I can speak to the chief executive officers operating the institutions on behalf of those people who have contacted him.

Mr. Peterson: Mr. Speaker, I have given the minister four examples. I believe there are many more problems than we have just illustrated here today.

I am asking the minister to use his good

offices to talk to the banks in this province to make sure there is no holdup in the clearing of those cheques. Clearly that is the problem. The minister has to talk to the banks through his agents who are running those companies, assure them that those cheques can be cleared and ask them to expedite these cheques.

That is what I am asking the minister to do. Will he do it this afternoon to make sure there is no holdup in the disposition of these cheques?

Hon. Mr. Elgie: Mr. Speaker, we have talked about this before. Again let me emphasize, as I have in the past, that if there are specific problems I am pleased to relay those to the chief executive officers to have them review them.

I do not know the problems banks may have, but there is at present a limit of \$20,000 imposed on the amount that can be withdrawn from Seaway and Greymac. The banks, I am certain, do have an obligation to make certain the amount of the cheque being processed does not exceed that. This is the only explanation I can think of for any undue delay of this sort.

Certainly I will consult with the chief executive officers and ask them if they are aware of difficulties similar to the ones the member has referred to. I know they have been in contact with the banks. Part of the role played by the advisory committee of five has been to try to avoid the types of problems that individuals have complained about.

Frankly, I think those in charge deserve a great deal of credit, as do the employees, for the kind of work they have done to minimize the problems that have occurred.

Mr. Renwick: Mr. Speaker, what is the present state of the minister's discussions with the government of Canada or of the discussions the Premier (Mr. Davis) may have had with the Prime Minister about getting the \$20,000 limit raised to \$60,000? Surely that would solve a good number of these problems. What can be done to ensure the change in the Canada Deposit Insurance Corporation Act?

Mr. Speaker: That is hardly a supplementary, but the minister may respond if he wishes.

Hon. Mr. Elgie: Fine, Mr. Speaker. As I mentioned last week, I had telephone conversations with the Honourable Paul Cosgrove, with the leader of the New Democratic Party and with the critic from the Progressive Conservative Party. I have also written to the Honourable Paul Cosgrove with copies to those two individuals in the other parties, and the Premier has written to the Prime Minister of Canada request-

ing that this be dealt with in an expedited fashion.

Mr. Peterson: Perhaps I did not put my question to the minister properly—either that or he does not understand or does not choose to understand.

These cheques are not in the amount of \$20,000. These are monthly interest cheques that people are living on. That is what we are talking about; small amounts of money. We are talking about cheques that have been stamped for clearance by Touche Ross, the interim receiver or manager of those companies at the present time, yet the banks refuse to clear them expeditiously.

I am asking the minister to send a letter this afternoon to the chief executive officers of the banks of this province asking them to move judiciously to clear all these cheques in the normal course of events. Will he do this and say he and the government will stand behind them through his agents who are running them? I am not asking for a speech about how wonderful those people are. I am asking him to solve a real human problem immediately this afternoon.

Hon. Mr. Elgie: Let it be understood we do not need to write to everybody; we can have conversations with people in this world. We have learned that in this House. Sometimes they are pleasant conversations and sometimes they are not, but at least we are all still able to talk. I or representatives on my behalf are able to talk to Mr. Voelker at Seaway and to Mr. Taylor at Greymac.

Let us set aside any notion that those two individuals and the staff working with them are not aware of human problems. It has been a daily concern of theirs to avoid human problems. I will be glad to pass on the concerns the member has raised. They are concerns they are already aware of, although they may not be aware of these particular problems. Let me again say we should be grateful there have been so few problems.

ECONOMIC PROJECTIONS

Mr. Peterson: Mr. Speaker, I have a question for the Treasurer. I am sure he is aware of the Conference Board of Canada's latest quarterly provincial forecast which predicts the unemployment rate in Ontario will soar to 12.6 per cent by the middle of this year and will result in an additional 25,000 lost jobs or unemployed workers, bringing the total close to 600,000 in this province. Moreover, the employment drop

in this province is expected to be the worst in the entire country.

Those forecasts from the Conference Board differ substantially from those outlined by the Treasurer in the House on January 24, 1983. At that time, the Treasurer suggested the employment level in 1983 would return to about the same level as in 1982. These statistics vary markedly from his original budget projections of almost a year ago.

I can appreciate the confusion that is resulting, and I am sure the Treasurer can also, as a result of the sketchy details coming forward from a variety of forecasting agencies. He can also appreciate the uncertainty felt in a number of sectors of this province as a result of not knowing the government's view of the near-term future of economic trends in this province.

In the near future and prior to his budget, will the Treasurer consider issuing a statement, speech, policy document or state of the economy address with respect to his projections? Then people might have some idea about his intentions and projections, and might have input over the next few months as the Treasurer is formulating his budget to deal with these very serious economic problems.

Hon. F. S. Miller: Mr. Speaker, I think that is what a budget does.

Mr. Peterson: The Treasurer's budgets are so wrong, but that is not what his budget will do and that budget will be two or three months from now, at some undetermined time in the future.

Given the uncertainty, the serious problems in the agricultural sector, the thousands of jobs that have been and will be lost in the agricultural sector, will he come forward now with his projections, with his idea of what is happening and with his idea of the problems that have to be addressed in his budget? Will he do this so we can have a public discussion of some of those problems, and so the people who want to help him in the formulation of those policies will have a chance to do so? Will he not give us his opinion of what is happening?

Hon. F. S. Miller: I sense the Leader of the Opposition does not know what I am doing these days, but that is fine. I just left a meeting with a business group made up of people from all three parties, as I read it. I saw some of the member's supporters there. Those people spent an hour and a half with me going over their estimates of the present state of the economy.

As the member probably knows, I meet with

some 40 groups of people such as the Ontario Federation of Labour, the Canadian Manufacturers' Association, the brewers, the Canadian Federation of Independent Business, and on and on. On average, I make five or six telephone calls of half an hour's duration each day to business leaders and citizens around the province asking them for their opinions.

I would point out to my colleague that even in the last short while since the latest forecast was formulated, even before it was printed, it appeared as if the predictions in the current quarterly forecast of that group were not accurate. The Conference Board has given a gloomy forecast.

The real growth in the United States in January and February appears to be stunning most people. We have seen interest rates drop three quarters of a point today at least at one chartered bank in Canada. We are seeing the reawakening of production in the US. and shortly thereafter in Canada. We will see steel orders at Dofasco and Stelco up much above the levels they predicted. I believe events are overtaking that forecast.

2:30 p.m.

Mr. Rae: Mr. Speaker, I think the people of Ontario are less interested in forecasts and projections and more interested in jobs and action, and that is what we in this party expect to see from the Tory government.

In that regard, following the December conference of finance ministers, there appeared to be a consensus that work would begin on a certain number of particular projects and work would begin on making jobs and creating jobs directly, by governments deciding it was time to move together.

Can the Treasurer tell us if the government of Ontario has formulated those projects which it plans to go ahead with, or is it prepared to make public the recommendations it is making to the Minister of Finance of Canada, with respect to the projects it expects to see financed by the government of Canada?

Hon. F. S. Miller: Mr. Speaker, I have answered the Minister of Finance of Canada, as requested at the December 16 meeting, with a very lengthy letter outlining what we thought could be done in terms of major job creation, in co-operation but in effect separately, which listed a large number of dollars' worth of works for them, for us, for municipalities, after a very careful scrutiny of the potential in this province.

Mr. Lalonde had asked each finance minister to do that, and if in fact the response was

encouraging enough, to get back together, hopefully in February. That time is passing, but he talked to me within the last two days and said he hoped it could be done early in March and we would all get together in Toronto to review the lists other provinces are providing. We have done ours; we are now prepared to discuss it.

Mr. T. P. Reid: Mr. Speaker, we are asking for something called a state of the economy address, not just for this time, but as an ongoing process in reforming the budgetary process. We feel this is something that should be done, not just now because of the particular economic situation but on a general basis, in conjunction perhaps with his quarterly update, which deals primarily with revenues and expenditures and what has happened to them.

Would the Treasurer not agree it would be beneficial for all the public—not just the groups he wishes to consult with himself, but for all the public—to hear addressed at regular intervals that government's best estimates of employment patterns, housing starts, bankruptcies, gross provincial product and all the things that go into the state of an economy—perhaps, as the Treasurer says, to counter some of the gloomy and pessimistic views coming from the Conference Board and others? If he has a good story to tell, why not have a situation outside of budget time where he can make a major address that is more relevant to what has happened than what he said on May 13 last year?

Hon. F. S. Miller: Mr. Speaker, I have a great respect for my colleague the member for Rainy River's knowledge of and practice of the art of parliamentary procedure. State of the union messages are usually done by "Presidents," in a system that is not like ours. We have a long parliamentary tradition of doing the same thing in something called a budget. It is not simply a balancing of figures; it is an economic document, it predicts unemployment levels, and it is done at a regular time of year. It will be done and he will see it.

JOB CREATION

Mr. Rae: Mr. Speaker, my question is to the Treasurer. It concerns the fact that in the last two weeks since February 4, 1983, we are aware of the announcements of closures and layoffs affecting nearly 1,500 workers in this province. At that same time, the Canada-Ontario employment development program and new employment expansion and development program were announcing 1,048 short-term jobs, which means 398 jobs have in a sense been lost in the last two

weeks and that the program is falling behind the real need.

It also means that in Ontario we are losing long-term jobs, in companies like Monsanto, Kimberly-Clark, Canadian General Electric, Jarvis Clark and so on, and they are simply being replaced by short-term make-work projects which the Treasurer's own Finance critic in Ottawa has simply described as an alphabet soup and as a political ploy.

I would like to ask the Treasurer, given the fact he has written to the Minister of Finance with these capital works projects, does he not think it would be a sign of good faith for the government of Ontario to fund those projects as of today to get them on the road, to start creating permanent jobs, instead of these short-term make-work projects? Does he not think it is more worth while to have long-term jobs than to be funding pet surveys in North York?

Hon. F. S. Miller: Yes, Mr. Speaker.

Mr. Rae: If the Treasurer's answer is "Yes," I am delighted to hear it. Can he please tell us, is he saying he is prepared to go ahead with those projects as of today as a sign of good faith? In particular, can he please comment on the fact that with the interest rates falling, the Treasurer himself has admitted he is saving a very substantial amount of money in the servicing of the debt?

Is the Treasurer not prepared to use the money he is saving in servicing of the debt to start putting people back to work and start creating jobs in Ontario?

Hon. F. S. Miller: My colleague likes to choose figures to suit himself. He selectively chooses some layoffs and then selectively chooses some jobs created under COED and NEED up to date. He forgets about the jobs we have created under the Ontario program itself, the \$50 million being spent in the three months ending March 31.

He forgets about the normal recalls in industries. He forgets that companies like General Motors, Oshawa, is bringing back I think it is 1,500 people shortly. He does not like to do his balance in total; he likes to be very selective.

Mr. Peterson: Mr. Speaker, why does the Treasurer continue to measure the success of what he is doing in coffee-spoons rather than getting his sights up? Why is he not having some active, dynamic programs here to build in this province? Why is he not building housing when we need it so badly? It would create some jobs immediately. Why are we not diverting moneys

into those kinds of areas? How can he sit there day after day and justify some rinky-dink programs, such as we have had in the past, that are yielding virtually no results?

Hon. F. S. Miller: Mr. Speaker, the rinky-dink programs have put a lot of people to work this winter building houses in Ontario at a rate that we have not seen mid winter for a long time. Sixteen-thousand-odd people in Ontario purchased homes because of the Ontario program.

Mr. Peterson: Miserable little response.

Hon. F. S. Miller: Miserable little response? Let me pass that message back, then, to the people in the Housing and Urban Development Association of Canada and the Urban Development Institute who believe it was a great program, who believe it succeeded, who believe we have put a lot of people back to work in Ontario.

Mr. Rae: Surely the Treasurer has to appreciate that the real point is that by writing Mr. Lalonde with a set of projects, the Treasurer himself has admitted there are projects in this province put forward by municipalities, put forward by co-operative housing groups, put forward by nonprofit housing groups, put forward by the province itself, and the only thing holding these projects back is the unwillingness of the Treasurer to fund them.

Mr. Speaker: The question, please.

Mr. Rae: I would like to ask the Treasurer, is he willing to fund those programs and is he willing to get them going so we can put people to work this winter?

Hon. F. S. Miller: I can understand why the finances of socialist countries never work.

Mr. Wildman: Well, yours are not working.

Hon. F. S. Miller: The member for York South talked about what I was doing with the \$50 million I saved. He would get out and spend that money.

Interjections.

Hon. F. S. Miller: The member for York South cannot listen and yell too. I know the Premier (Mr. Davis) got to him the other day.

Interjections.

Mr. Speaker: Order.

Hon. F. S. Miller: If I have saved \$50 million in interest costs in the last year, I think the member would recognize we also laid out a good many more dollars in job creation programs. The \$50 million we put into the three months alone equalled that saving.

METRO CHILDREN'S AID SOCIETY OF TORONTO

Mr. R. F. Johnston: Mr. Speaker, my question is for the Minister of Community and Social Services. Now that the minister has launched another personal attack on somebody else in the social services agency—

Mr. Hennessy: How about you? You are pretty good too.

Mr. R. F. Johnston: I thank the member for Fort William very much. I appreciate the help.

Mr. Mackenzie: Get on the question period list, Mickey, and let's hear you for once.

2:40 p.m.

Mr. R. F. Johnston: I have never really thought of him as an anti-imperialist myself. I always thought he was a great supporter of the IODE.

Would the minister please clear up for us his accusations made towards the Metro Children's Aid Society of Toronto, which he is picturing as very fat and complacent by saying, for instance, that there was one management person for every two workers?

Let me quote from the Toronto Sun of Thursday, February 17: "He's got one manager for every two employees." Would the minister not agree that, in terms of service delivery workers, it is actually a one-to-seven ratio, 78 managers to 552 workers, and in the rest of the operation it is 16 to 80, or a one-to-five ratio?

Will the minister clear up for us why he does not think there is going to be any staff reduction when the minister's letter from Mr. Bruce Heath, the regional manager, on January 13, indicated a list of options for reductions that would have included a reduction of between five and 23 front-line workers, a three- to eight-position reduction in department heads and several reductions in clerical positions? How can the minister suggest those would be done through attrition in the course of a one-year period? Would he mind clearing that up today?

Hon. Mr. Drea: Mr. Speaker, as usual, the member is dead wrong. We never said in a one-year period; we said in a three-year period, so please correct that.

Mr. R. F. Johnston: Not in Heath's letter.

Hon. Mr. Drea: Come on. Just to go through that long litany of protest from a gentleman who established a reputation the other night that shall never be equalled in this House, the fundamental reason for the redistribution of

child care funds in Metropolitan Toronto is to reflect population change. There is no reduction in them. In fact, in total they will be raised by five per cent, just as they are across the province to similar societies.

The press has pointed out rather abundantly that the Metro Children's Aid Society of Toronto is now being funded on the basis of representing 63.2 per cent of the non-Jewish, non-Catholic child population when it is now down to 54 per cent. It is not a stringent redistribution. It is fair, equitable and just. If I were to do it by population alone, \$5 million would have been taken.

I did not start the little rumble. The little rumble was started by the executive director of the society. The reason—

Mr. R. F. Johnston: It was started by the minister's deputy.

Hon. Mr. Drea: No. Just as in the case of the Royal Ottawa Hospital of recent memory, the rumble was started by the hospital. The member for Ottawa East (Mr. Roy) knows that. He benefited enormously from it.

Mr. Roy: I am with the minister on that one.

Hon. Mr. Drea: That is right. I think the member will find the same result in this one.

May I just point out a couple of other things to put all this into perspective. I have not used these figures before. The average per capita cost per child of the Metro CAS, since I am being accused of doing things, right now is \$135.17 per day. The Catholic Children's Aid Society of Metropolitan Toronto is \$94.47. The total number of cases the Metro CAS handled in 1979 was 6,590. Today it is handling 5,433. That is a drop of 1,157 or a drop of 17.6 per cent. The number of children in its care has dropped by 19.4 per cent.

May I point out that in the institutions run by the society, the average cost per child is \$64,652 a year. That spells e-m-p-i, and if the member wants to ask me another question, I will be glad to give him the r-e.

Mr. R. F. Johnston: The minister has brought that up as if it should be a surprise that there has been that kind of decline, especially in the residential care sector of—

Mr. Speaker: Question, please.

Mr. R. F. Johnston: I believe this is part of it, Mr. Speaker. In terms of the number of children in care, will the minister not agree this has been part of the plan, and he has known it for a long time? As a matter of fact, last July the ministry approved a service plan that outlined that it would be trying to cut down the residential

services by 10 per cent per year. That was part of the plan. As a matter of fact, family services this year are slightly higher than they were last year. That was all part of the plan until he decided to move in and intervene at this time.

Does the minister not agree that now, when we are facing this kind of pressure on our society, is not the time to cut back what is known as one of the best and best-funded CASs in this province? This is the time to bring the others up to their level, not to bring them down as he raises the others up. Would that not be a more equitable approach to funding the CASs?

Hon. Mr. Drea: The Metro CAS has a surplus of cash today of \$901,000. In terms of bringing them up, I am bringing up the Catholic Children's Aid Society on its base budget, and I am bringing up the Jewish Family and Child Service of Metropolitan Toronto, not nearly to the level of population, but I am bringing them up. In addition to that, I will make significant adjustments to both of them. That is the E. We have gone through EMPIRE.

If the member is suggesting to me that I should turn a blind eye to the population shifts in Metropolitan Toronto, and a blind eye to the requirements of the Catholic Children's Aid Society and the Jewish Family and Child Service of Metropolitan Toronto, by statute, then he is absolutely incorrect. We are not going to do that. The budget for the three of them has been raised in total by five per cent, the same as for every other children's aid society across the province. It is merely a redistribution.

Earlier the question was asked why I felt no layoffs or job losses were possible with the surplus of \$901,000. The fact is that long before we even discussed this with the Metro CAS, it put in a hiring freeze of its own accord. The Metro CAS's own report from its board of directors pointed this out long before we had talks with them. I suggest that if the member wants to champion a lost cause, he should get up and ask the third question.

Ms. Copps: Mr. Speaker, I can understand and have sympathy with the minister because we realize he has to go down swinging in order to save his own face, and we all know he is going down.

Interjections.

Ms. Copps: Nevertheless, the personal attack—
Interjections.

Mr. Speaker: Order.

Ms. Copps: In terms of the ministerial record, I look back to last year and the famous incident

of Art Bossen. I look to the public hand-wringing of the minister yesterday over radio and television about the empire-building of Douglas Barr. I wonder if it would not behoove the Minister of Community and Social Services to deal with issues, so those parents who have children at present under the care of the Metro Children's Aid Society of Toronto could have faith that the system amounts to a little more than a bit of personality wrangling in public such as we saw displayed by the minister yesterday.

Hon. Mr. Drea: Mr. Speaker, it is a matter of record that I never said a word on this anywhere until Mr. Barr chose to start the war. I never said a word. I say to the member for Hamilton Centre (Ms. Copps), when one starts a war, one should not do it with me.

Mr. R. F. Johnston: Your deputy minister did once before you did. Your hit man did it for you.

Mr. Speaker: Order. There may be another war on the verge of starting.

2:50 p.m.

Mr. R. F. Johnston: Mr. Speaker, it is very reassuring for us all to have a gunslinger in the minister's position in that ministry.

Mr. Speaker: Question, please.

Mr. R. F. Johnston: Does the minister not think the role played by his deputy minister was perhaps a little provocative in all of this? Does he not think that perhaps the deputy has contravened section 8 of the Child Welfare Act in terms of essentially disrupting the normal methodology for filing estimates by children's aid societies; that by stating they are now working on a new base and are coming down firm on it, he is prejudicing their rights to appeal under sections 11 and 12? Does the minister not think the deputy has overstepped his role in all of this—on the authority of the minister, I would presume?

Hon. Mr. Drea: The answer to that is very short and sweet. The answer is "No." I think someone who is—

Interjections.

Hon. Mr. Drea: I am the nicest, most peaceful person I know. I am very friendly, I am a grandfather and I am a lot of things.

I would just like to point out one final matter because I do not want it getting lost in all of this. In the honourable member's first question—

Mr. R. F. Johnston: The minister should answer the question I asked. He is not answering my question.

Hon. Mr. Drea: —he talks about my saying there was one manager to two employees.

Mr. Laughren: Answer the question.

Hon. Mr. Drea: The fact sheet I gave out said, very clearly, "virtually one manager to every two child care workers." Yes, it did—in writing. The member should not smirk at me, as he did the other night. He should show his ability to read.

Mr. Speaker: Never mind the interjections, please.

An hon. member: Let the record show that he smirked.

Hon. Mr. Drea: Did the member smirk?

Mr. R. F. Johnston: Why is it that the Premier (Mr. Davis) cannot sit through the minister's answers?

Mr. Speaker: Order.

Hon. Mr. Drea: If there is any confusion about that—and I can understand from time to time, because of certain jargon that is used, there appears to be some confusion—let me make it plain that the CAS has some 700 employees to the best of my knowledge. And by the way, they have not been filing their number of employees with us, lately.

Mr. R. F. Johnston: Then the minister should cut them up some more. Why does he not go and cut them up?

Hon. Mr. Drea: There are 235 child care workers and approximately 115 managers. They spread between the child care workers, our support workers, etc. The argument made by the CAS has been that they need those managers for their front-line services.

[Later]

Hon. Mr. Drea: Mr. Speaker, on a point of clarification: This afternoon when I was discussing per capita costs, on page 1440-2 of the Instant Hansard I said "\$135.17 a day." Obviously the per capita is based on a year. It is the standard measurement across the province.

EMPLOYEE HEALTH AND SAFETY

Hon. Mr. Ramsay: Mr. Speaker, on February 8, I undertook to report back to the House on a question raised by the member for Sudbury East (Mr. Martel) regarding carbon monoxide fumes from sidewalk snowploughs in the city of Ottawa.

The honourable member alleged that occupational health branch samples taken in February 1981 indicated carbon monoxide levels in two of four machines exceeded the Ontario recommended level of 35 parts per million and

that noise levels were at 94 decibels. Ministry reports reveal only one of the four machines had carbon monoxide levels in excess of 35 ppm and that no noise tests were conducted at that time.

The member also alleged that subsequent tests by the occupation health branch, in 1982, were done under nonrepresentative conditions. The union complaint regarding the snowploughs was not received by the industrial health and safety branch until February 23, 1982. When the occupational health branch investigated on March 18, 1982, there was no snow, thus making it impossible to conduct air sampling for carbon monoxide under typical operating conditions.

Ministry of Labour policy is that consultants conduct routine investigations unannounced in order to check normal operating conditions. As none of the machines the union wished to have sampled was on site and there was no snow, a similar model was sampled in the neutral position for 10 minutes.

Because the sampling of March 1982 was not undertaken under representative conditions, further testing was scheduled during the peak of the following season. I am pleased to inform the House that my ministry conducted air sampling for carbon monoxide on four ploughs on January 12, 1983, during an entire seven-hour sanding operation. One of the four vehicles had a level of 44 ppm during a four-and-a-half-hour sampling period. This was subsequently found to be due to a cracked manifold. Orders were issued for equipment to be maintained in good condition and for the provision of ventilation in the cabs.

The industrial health and safety officer delivered the report to the city on February 9, 1983, at which time copies were transmitted to the two union health and safety representatives.

There are recognized difficulties relating to fumes in snowplough cabs, and the city of Ottawa and the union are fully aware of the potential hazards in the use of these vehicles, the precautions that have to be taken and the need for proper maintenance as well as periodic monitoring. However, even stringent maintenance programs can never guarantee that the vehicles will not malfunction on occasion and produce an increase in fumes.

The ministry's staff have investigated the situation and have issued orders where necessary. Recommendations for structural modifications to decrease the likelihood of cab fumes have been suggested and complied with. The ministry will continue to assist the parties in achieving a healthful and safe work environment.

Today I am pleased to transmit a comprehensive report to the member for Sudbury East that addresses all the questions raised in respect to this matter on Tuesday last.

HOUSING PROGRAMS

Mr. Epp: Mr. Speaker, I have a question for the Minister of Municipal Affairs and Housing. During estimates the minister said a key objective for his ministry will be, "To assist the residential construction industry towards an orderly adjustment to the changing level and patterns of housing demands."

My colleagues and I believe the government's major priority should be in the building area if it wishes to cope effectively with our economy. Instead of boasting about past programs, as the minister is prone to do, can he tell me what plans he has in the immediate future to stimulate the residential construction industry?

Hon. Mr. Bennett: Mr. Speaker, I did say at the time of my estimates that we were interested in helping the construction industry, and I did take a great deal of pride in the fact that this government had announced some programs that had produced opportunities for people in Ontario both in rental accommodation and in ownership, and I take no back seat.

I recall the opposition a year ago belittling the renter-buy program as not being one that would serve any useful purpose in this economy of Ontario. Indeed, I heard members opposite say we would not achieve our goals and objectives.

Mr. Speaker, we achieved them and even went beyond them. Indeed, it was a program that was valuable to the construction industry, and it delights me to say that the Housing and Urban Development Association of Canada, the Urban Development Institute and the Canadian Institute of Public Real Estate Companies have said publicly that without it the construction industry in Ontario would have suffered greatly in 1982.

So this government does take some degree of pride that it brought in a program that not only served this province well but also was looked at by nine other provinces in Canada, which used some parts of it to stimulate the construction industry in their parts of Canada as well.

I said to Mr. LeBlanc, the minister reporting for the Canada Mortgage and Housing Corp., and I have said before in this House and repeat it again today, that it is incumbent upon this government and his government to work in unison to bring a program into being in 1983 that will stimulate the construction industry.

I make no apologies that I have been going through some long discussions. Indeed, I did so just a week ago last Monday for three hours in Vancouver when, at the HUDAC annual conference, Mr. LeBlanc and my colleagues from four other provinces met with the association and discussed the possibility of some type of co-operative program between provincial governments and the federal government to stimulate not only the ownership business—

Mr. Sargent: Talk, talk, talk.

Hon. Mr. Bennett: It might be only talk, talk, talk, but I can assure the member that as long as we are talking we might, if he can persuade some of his friends in Ottawa, get some action to go on a co-operative program.

I do not intend to recommend to the Treasurer (Mr. F. S. Miller) of this province that we continue to go on programs by the provincial government alone, at times finding ourselves in conflict with what the federal government is trying to do with some of its programs. I think there is a great deal more to be gained for the government and the people of this province in working in a co-operative program with the federal government. I have sent Mr. LeBlanc a further letter in the last couple of days, again suggesting to him areas where I think there is a possibility for some co-operation in programs.

3 p.m.

I want to make one other point. I said to Mr. LeBlanc that I am not sure the announcement of a program on this very day is going to stimulate opportunities for employment. The renter-buy program is using the capacity of the small house-building industry to its extent at this moment. I think there is value in announcing something come the Treasurer's budget.

Mr. Epp: I recall that after the renter-buy program had been under way for three or four months and the media were asking the minister why it was not very successful, he said, "Because we had a hot summer."

The Premier (Mr. Davis) has indicated that housing is a priority this government will pursue. He also said it would be possible to introduce or reintroduce a construction stimulation plan before the new budget comes down. The minister will recall the Ontario Liberal proposal to stimulate rental housing, announced last December. I am pleased to report that this proposal has gained wide acceptance right across the country, and particularly from municipalities in this province.

Mr. Speaker: Question, please.

Mr. Epp: In praising the plan, Mayor Norm Jary of Guelph indicated that a provincially sponsored study of Guelph's housing situation indicated an immediate need for 175 to 200 apartment units and a future need of somewhere between 300 and 400 units.

Will the minister assure the House that one goal of a future construction stimulation program will be to ease the rental housing shortage? More important, will he introduce measures to stimulate the residential housing industry now, instead of waiting for the Treasurer's budget?

Hon. Mr. Bennett: Mr. Speaker, let us go back just a year ago, because the members of the Liberal Party seem to have a shortcoming in memory as to what their party in Ottawa did to our rental construction loan program.

I want to indicate very clearly that we had the Ontario rental construction loan program in 1981. It was a very successful program. We got about 16,700 units committed to various parts of Ontario under that scheme, designed by the Treasurer and announced in this Legislature.

Members will recall that as we advanced into 1982 we were thinking very seriously of continuing the rental construction loan program because it had been successful and because it did bring units into the marketplace, where they were required to try to meet the shortcoming.

I reported to this House—and I suggest the member for Waterloo North (Mr. Epp) note very clearly—that Mr. Cosgrove, at the time the minister reporting for Canada Mortgage and Housing Corp., invited this province to remove itself from any kind of scheme that would stimulate the rental construction loan program. He said the federal government through CMHC was going to bring into place the Canada rental supply program. Does the member recall that?

He also made the promise to this minister, to this government and to the people of Ontario that through this program they would put in place in Ontario 10,000 rental units in 1982. They did not succeed in doing a third of that, but they removed us from that field.

I spoke just two minutes ago about conflicts in programs. I think it is rather foolish for this government to try to design a rental construction loan program that would be in absolute competition with CRSP, which the federal government extended through 1983. It is ridiculous to expect this government now to try to overstep a federal program. They have it in place; if it is not working, they should look at it. We have suggested, as ministers across Canada reporting for housing at the provincial level, that the

federal government should look at improving CRSP to get a further stimulus into the marketplace.

I am not denying the requirement for rental accommodation in certain parts of this province—not at all. But the federal government asked us to remove ourselves from that particular position because it was going to fill the bill with some \$300 million, and it extended it to 1983. I am not about to recommend to the Treasurer at this time that we get involved by ourselves in a program in competition. I did say to Mr. LeBlanc, and I repeat here again, that we can still find opportunities for co-operation between federal and provincial governments to make that a more worthwhile program in the economy of Ontario, both from an employment point of view and from a supply point of view.

Let me finish with a comment relating to the Premier's remark about the housing industry in Ontario. The Treasurer met with his counterparts from across Canada and with the federal minister. The federal minister said very clearly, in unison with the 10 provincial ministers, that the priority item for development of employment, not only in Ontario but in Canada, indeed the one that could respond most positively and quickly to supplying employment, was the housing industry. They were united in their determination to provide housing. I hope the member's federal counterparts will come forward with some proposals shortly.

Mr. Speaker: That is a very complete answer. Thank you.

Mr. Philip: Mr. Speaker, I am sure my question will be a lot shorter than the minister's answer. How can the minister expect this House and the public to believe he is serious about rental construction when only one out of the three programs he announced with great fanfare to deal with the issue have been financed by this government?

How can the minister expect co-operation from the federal government when in areas such as co-op housing he is putting in less and less while he expects the federal government to put in more and more? What is the minister going to do about the 18,000 families who are waiting for Ontario Housing in this province and who badly need the kind of programs he has finally announced?

Hon. Mr. Bennett: Mr. Speaker, if one goes over my remarks in this House, not only in the past year but in previous years, relating to the development of housing through a co-operative

program with the federal government, he will see that one of the areas in which we agreed to get involved in 1978 was public and private nonprofit housing and co-ops.

The allocation factor happens to come from the federal government. It does not originate with the provincial government. We are given the allocation for municipal nonprofit housing by the federal government. May I remind the member that the co-op and the private nonprofit programs are 100 per cent financed, administered and allocated by the federal government. It does not come through this government in any way, shape or form.

Interjection.

Hon. Mr. Bennett: Just listen for a moment. It does not come through us at all. The member for York South (Mr. Rae) is shaking his head. He was down there and he did not do a very good job in arguing on behalf of anybody to get a better allocation.

I have told Mr. LeBlanc that in this current year the federal government has to recognize that provincial governments have social requirements for further rent support units. I have asked him to look seriously at the allocation he is not making to this province in the field of nonprofit—public, private and co-ops—that will supply that market. We agreed to supply it that way in 1978, and if the federal government is not about to move an increase in that allocation we will be in some difficulties.

There is unison among the 10 provincial ministers of housing that the federal government's allocation in the field of public and private nonprofit and co-ops should be increased substantially.

DEATHS AT HOSPITAL FOR SICK CHILDREN

Mr. Rae: Mr. Speaker, my question is for the Attorney General and concerns the various probes and studies that have been conducted at the Hospital for Sick Children.

Can the Attorney General confirm whether he is now in receipt of the report of the Centers for Disease Control in Atlanta as well as the final report from the police investigation that has been headed by Superintendent Robert Bamlett?

Can he also comment on the statement made on January 28 by the Minister of Health (Mr. Grossman), in answer to a question from me with respect to a public inquiry? At that time the Minister of Health stated very clearly that once those reports had been received, it would then

be appropriate for the government to consider whether to go ahead with a public inquiry.

Is the Attorney General now in a position to order a public inquiry in order to restore full public confidence in the events and affairs of the Sick Children's hospital?

Hon. Mr. McMurtry: Mr. Speaker, the Minister of Health has just advised me that his response included the necessity for any conclusion of a criminal investigation without charges before the issue of a public inquiry can be considered.

The investigation by the Metropolitan Toronto Police has not yet been concluded. I have seen some statements to the contrary reported in the news, but I can assure the member the investigation has not been concluded and I am not in receipt of any report from the Metropolitan Toronto Police.

With respect to the Atlanta study, we are in receipt of that report and I will be making a statement to the Legislature about that report either tomorrow or Monday.

3:10 p.m.

In regard to the matter of the criminal investigation, I repeat it has not been concluded. In the event it is concluded without any additional criminal charges being laid, the issue of a public inquiry becomes very real and at the forefront. That is obviously an option that must be and will be very seriously considered, but I cannot comment further on that until I am satisfied the police investigation has been concluded.

Mr. Rae: I want to thank the Attorney General for his answer, and ask him this question in the light of the information which is contained in today's press reports with respect to the conclusion of the police investigation and the resignation of Superintendent Bamlett, who was heading the police probe.

Can the Attorney General give us an indication as to when he does expect the conclusion of the Metro police investigation? If the reports of Superintendent Bamlett's resignation are true, is he disturbed at all that the superintendent heading the investigation would appear to be leaving the investigation before it has been completed? Is he worried about that?

Hon. Mr. McMurtry: I am not aware of Superintendent Bamlett's impending resignation. I think it is very hazardous to speculate as to when the police investigation should be concluded. Assuming there are no unexpected developments, I would say the police investiga-

tion will be concluded by the end of this month or early next month.

Ms. Copps: Mr. Speaker, I am surprised the Attorney General was not aware that Staff Sergeant Bamlett was going to retire in the normal course of events—

Hon. Mr. McMurtry: He is not a staff sergeant; he is a superintendent.

Ms. Copps: I am sorry. Superintendent Bamlett is retiring in the normal course of events. He has not resigned as a result of the investigation.

Nevertheless, the Attorney General will know, because I am sure his office will have followed this up, of the comments which were made by Superintendent Bamlett with respect to the investigation. He is quoted as having said, "The investigation has gone as far as it can go and now the only thing left is a decision on what course is followed here." Has the Attorney General been in touch with the department to find out whether this information is accurate? If it is accurate, who is going to be making the decision about what course of action is to follow from here?

Will the minister make a commitment today not only to make a statement in this House with respect to the report from the Centers for Disease Control in Atlanta but also to table that report so that all members of the Legislature may have an opportunity to see the findings of the Atlanta study before the House rises?

Hon. Mr. McMurtry: Mr. Speaker, the report will not be tabled, for very good reasons. If the member had listened to me a moment ago, she would have heard me say I would be making a statement about that report either tomorrow or Monday.

I do not speak directly to the Metropolitan Toronto Police on a day-to-day basis. As a matter of fact, most of my communication is through the director of the criminal law office and the criminal law branch of my ministry. If the member had the vaguest idea as to just how the ministry operates, she would understand that. I would invite—

Ms. Copps: Does the Attorney General not think this issue is important?

Interjections.

Mr. Speaker: Order.

CLOSING OF KIMBERLY-CLARK MILL

Mr. Piché: Mr. Speaker, my question is to the Minister of Industry and Trade. As the minister is aware, Kimberly-Clark of Canada Ltd. announced on Monday, February 7, it will

permanently close its mill in Kapuskasing on April 22, throwing 127 people out of work—

Interjections.

Mr. Piché: I listen to the silly questions from over there. They should listen to a question with some meat to it.

Mr. Speaker: Order. Question, please.

Mr. Piché: As the minister is also aware, a meeting was held here at Queen's Park last Monday between government representatives and top Kimberly-Clark officials to discuss the matter and seek a six-month postponement on the closing, a request that was refused by the company.

Will the minister now proceed with an action plan to see what can be done to continue some type of operation in the 100,000-square-foot plant adjoining the present newsprint operation of Spruce Falls Power and Paper Co.? The resources are available and there might be other parties prepared to move in.

The minister is also aware of the impact this will have on the community and on the whole region. What is he prepared to do immediately to alleviate the problems faced because of the closing?

Hon. Mr. Walker: Mr. Speaker, I thank the member for the question he has asked. I know this is one that has caused a great deal of concern to him. We have talked about it and he has arranged a number of meetings. There have been serious discussions.

An hon. member: All sorts of constructive things on it.

Hon. Mr. Walker: Very constructive things, that is right. Very constructive things have been done in respect of the matter. It is very gratifying to know that constructive moves are taken by members of the House in respect of these matters that cause a great deal of problem in a community. I certainly applaud the member for the efforts.

This is one of the difficulties we are facing in a number of communities, when old or outdated facilities or facilities that are growing a bit aged become caught up in an economic squeeze. This appears to be one of those. The facility seems to be becoming quite a bit more uneconomic than it has been in past years.

However, if there is a way of solving the problem, if there is a way of finding an alternative to the operation of this mill, which is in a sense an adjunct to Spruce Falls through the Kimberly-Clark facility, if we can attempt to resolve it that way then we are more than willing

to do that. We are prepared to take enough steps to attempt to set up a vehicle for alternatives to be sought out.

The Minister of Natural Resources (Mr. Pope) and I have discussed one vehicle, a task force, that I think might be appropriate. In fact he, the Minister of Northern Affairs (Mr. Bernier) and the Minister of Labour (Mr. Ramsay) have met on the issue already with officials of the firm. If we could possibly set up a task force that might include community people and senior ministry people, there might be ways of seeking out from elsewhere in the world some facility that might make use of it.

I would be prepared to pursue that goal. In fact, I would be prepared to become directly involved in it. I share the member's concern.

SAFETY OF OFFICE EQUIPMENT

Mr. R. F. Johnston: Mr. Speaker, on a point of order: You may remember that last December I raised with the Minister of Labour the question of the task force on video display terminals which had made some recommendations. At that time, he indicated to me by correspondence that the task force report to the advisory council was going to be sent back to the task force for rethinking.

I quote the letter: "A further draft will be discussed at the January meeting and it is hoped that council will be in a position to submit formal advice to the minister shortly thereafter." The minister also assured me he would report to the House shortly thereafter.

On February 8, the task force report was before the advisory council. It changed some wording but reaffirmed the major points about monitoring for ionizing radiation, shielding of various machines, an epidemiological study, and protection from the reproductive hazards, including Workers' Compensation Board assistance for women.

I hope before the end of this session the minister will rise and indicate whether or not there will be legislation bringing in these new recommendations in the coming session.

Mr. Speaker: Undoubtedly the minister has taken note and will reply at the appropriate time.

Mr. Renwick: Mr. Speaker, on a point of order: The minister wants to reply now.

Mr. Speaker: I am sorry, the time for oral questions has expired.

Mr. Renwick: This would be an appropriate time for the reply. It was a point of order.

Mr. Speaker: Then I have no alternative but to rule your colleague out of order.

Mr. Renwick: It was a point of order—

Mr. Speaker: It was not a point of order, with all respect.

Mr. Foulds: On a point of order, Mr. Speaker: We could, by unanimous consent, revert to statements.

Mr. Speaker: We could, if you want to put it.

Mr. Foulds: I would so ask the House.

Mr. Speaker: Do we have unanimous consent?

Some hon. members: No.

Mr. Speaker: Obviously we do not.

3:20 p.m.

Hon. Mr. Wells: On a point of order, Mr. Speaker: My friend refers to unanimous consent to revert to tabling. I know of no provision in—

Mr. Speaker: He said "statements."

Hon. Mr. Wells: I am sorry, I thought he said "tabling." I am sure my friend has had enough statements for today.

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Peterson moved, seconded by Mr. Conway, pursuant to standing order 34(a), that the ordinary business of the House be set aside in order to debate a matter of urgent public importance, namely:

The continuing confusion and lack of information following the takeover of control of Greymac Trust and Seaway Trust by the Ontario government, and, in particular, the lack of any indication concerning the ultimate ownership and disposition of some 20,000 apartment units previously managed by Kilderkin Investments Ltd. and Maysfield Property Management Inc., to the great concern of tens of thousands of tenants;

The lack of any indication concerning the ultimate ownership and disposition of Greymac Trust and Seaway Trust, to the great concern of tens of thousands of depositors and other creditors; the difficulties and anxieties experienced by guaranteed investment certificate and debenture holders of Greymac Trust and Seaway Trust, some of whom are finding that even after three weeks the chartered banks are not clearing the interest payment cheques arising from their investments;

The lack of any accounting on the part of the Ministry of Consumer and Commercial Relations for the series of regulatory and legal

actions, which it has initiated over the last six weeks; the lack of any explanation for the serious lapse in the regulatory responsibilities on the part of the Ministry of Consumer and Commercial Relations extending over the last two years, which has resulted in the current crisis;

And the refusal of the Ontario government to establish a royal commission to examine all aspects of this most recent breakdown in the exercise of the regulatory duties on the part of the Ministry of Consumer and Commercial Relations.

Mr. Renwick: On a point of order, Mr. Speaker: Can you control the members of your government?

Interjections.

Mr. Speaker: I am sure the honourable member would like to reconsider that statement.

Mr. Renwick: Could you ask the members of the government party if they would allow those of us who are interested in the business of the House to hear what it is?

Mr. Speaker: I surely will. I ask all honourable members to please co-operate and, if they have private business, to carry it on outside the precincts of this chamber.

Interjections.

Mr. Speaker: Order.

To get back to the business at hand, I must rule this motion out of order because, as all honourable members will recall, this was the topic of a motion that was introduced by the member for York South (Mr. Rae) and was debated on January 17, 1983. I refer members to standing order 34(c)(iv), which provides, "The motion must not revive discussion on a matter that has been discussed in the same session under this standing order." Therefore, I have no alternative but to find the motion out of order.

Mr. Peterson: Mr. Speaker, it is with great regret that I am obliged to challenge your ruling.

4:10 p.m.

The House divided on the Speaker's ruling, which was sustained on the following vote:

Ayes

Andrewes, Ashe, Baetz, Barlow, Bennett, Birch, Brandt, Cousens, Cureatz, Davis, Dean, Drea, Eaton, Elgie, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Harris, Havrot, Henderson, Hennessy, Hodgson, Johnson, J. M., Jones, Kells, Kennedy, Kerr, Kolyn;

Lane, Leluk, MacQuarrie, McCaffrey,

McCague, McLean, McMurtry, McNeil, Miller, F. S., Mitchell, Norton, Piché, Pollock, Pope, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Snow, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, J. A., Timbrell, Treleaven, Villeneuve, Walker, Watson, Welch, Wells, Williams, Wiseman, Yakabuski.

Nays

Allen, Bradley, Breaugh, Bryden, Cassidy, Charlton, Conway, Copps, Cunningham, Di Santo, Edighoffer, Elston, Epp, Foulds, Grande, Haggerty, Kerrio, Lupusella, Martel, McClellan, McGuigan, Miller, G. I., Newman, Nixon, O'Neil, Peterson, Philip, Rae, Reed, J. A., Reid, T. P., Renwick, Riddell, Roy, Ruprecht, Ruston, Samis, Spensieri, Swart, Sweeney, Van Horne, Wildman, Worton, Wrye.

Ayes 67; nays 43.

Mr. McClellan: On a point of order, Mr. Speaker: I want to raise a point of order not about the decision you have just made with respect to whether or not the motion was in order, because a major ruling has been challenged and your ruling has been upheld.

Mr. Speaker: I would point out it was not a ruling. That was the whole exercise.

Mr. McClellan: Perhaps I can make a brief statement of concern with respect to the procedures under standing order 34(a).

Mr. Speaker: No, the honourable member is out of order. The matter has been decided, and we cannot have any further discussion.

Mr. Roy: It is on a point of order, Mr. Speaker.

Mr. Speaker: There is no point of order.

Interjections.

Mr. Speaker: Quite clearly the standing orders provide, as you all know, that when a matter has been decided it cannot be debated further.

Mr. Roy: No, I do not want to debate it further. I just want to bring to your attention one standing order.

Mr. Speaker: No. The decision has been made.

Mr. Roy: Mr. Speaker, for the future I want to raise a point of order with you.

Mr. Speaker: No, this is not the appropriate time to do it.

Mr. Roy: Listen to my point of order.

Mr. Speaker: No.

Mr. Roy: I am not debating it.

Mr. Speaker: No, there is nothing out of order.

Mr. Roy: I am not debating with you. Are you going to listen to a point of order?

Mr. Speaker: The standing orders do not provide for any questioning of the Speaker.

Mr. Roy: Listen to my point of order first and tell me if I am out of order.

Mr. Speaker: You are out of order. I have decided that. The honourable member will resume his seat. The member for Bellwoods (Mr. McClellan) will please resume his seat.

Mr. McClellan: Mr. Speaker, I want to raise a point of order and you do not know what my point of order is. You cannot rule in advance that I am out of order.

Mr. Speaker: With all respect, you indicated it when you said what you were going to make your point of order on.

Mr. McClellan: Unless you can read my mind, you do not know what my point of order is.

Mr. Speaker: If you have a point of order other than the matter which has been decided by the House I will listen to it.

Mr. McClellan: Mr. Speaker, my point of order has to do with the procedures with respect to moving motions under section 34(a). I want to have a clear understanding from you, sir—and I do not think that is too much to ask—as to what the correct procedure is. It is our interpretation of the standing order that the procedure is as follows: first, the motion is submitted, and second, each member is allowed to make his arguments for five minutes.

Mr. Speaker: Order. The procedure was demonstrated. The procedure is laid down in the standing orders. It is not difficult to interpret. All one has to do is read it.

Mr. Cassidy: You have it wrong.

Interjections.

Mr. Speaker: No, you are out of order.

Mr. McClellan: I am not out of order.

Mr. Speaker: Yes, you are. Where were we? Orders of the day.

Mr. Cassidy: Mr. Speaker, I have a point of order.

Mr. Speaker: Is this a new point of order?

Mr. Cassidy: Yes, it is.

Mr. Speaker: All right. I will listen to it.

Mr. Cassidy: Mr. Speaker, I am really concerned about that because, as you say, it is perfectly clear in the procedure laid out in the

section which says, "Such member may explain his arguments in favour of the motion for not more than five minutes."

Mr. Speaker: Order.

Mr. Cassidy: The Speaker then makes his ruling. That was not done and that is why we want to—

Mr. Watson: That is the same point.

Hon. Mr. Pope: You don't belong here anyway.

Mr. Speaker: The member for Ottawa Centre (Mr. Cassidy) will please resume his seat.

Interjections.

Mr. Speaker: Order. If you were as knowledgeable as you would have us believe, I would suggest you read the standing order. It is very simple. The proper procedure has been followed.

Mr. Renwick: Mr. Speaker, you are wrong and you know it.

Mr. Roy: It has not. That is what we are trying to tell you.

Mr. Speaker: I beg your pardon.

Mr. Roy: Don't be so dictatorial.

Interjections.

Mr. Speaker: Order. Orders of the day.

Mr. Cassidy: With respect, Mr. Speaker, a child in grade 5 would—

An hon. member: What grade are you in, Mike?

Mr. Cassidy: What kind of bully-boy place is this anyway?

An hon. member: Throw him out.

Mr. Cassidy: You distort every rule for your own purposes.

Interjections.

Mr. Speaker: Order, order.

Mr. Roy: Mr. Speaker, I just want to discuss a standing order with you.

Mr. Speaker: No. This is not the appropriate time.

Mr. Roy: I do not want to discuss your ruling. I just want to discuss the standing order. I do not want to discuss your ruling. I just want to discuss standing order 34.

Mr. Speaker: There is nothing out of order. I followed it to the letter.

Mr. Roy: I want to ask you—

Mr. Speaker: There is nothing in the standing order—

Mr. Roy: Are you independent or are you taking your orders from across the way?

Interjections.

Mr. Roy: That is the way it is. They are shouting across the way. We are not unreasonable. Read standing order 34.

Mr. Speaker: Order. I am sure the member for Ottawa East (Mr. Roy) may want to reconsider that statement. As I have told him quite clearly, I based my interpretation on the standing orders.

Mr. Martel: Read it out.

Mr. Roy: That is what I want—

Mr. Speaker: Just a minute. Sit down.

Mr. Renwick: Mr. Speaker, the only person you listen to is the Clerk of the House and he tells the government what he wants to do.

Interjections.

Mr. Speaker: The member for Riverdale (Mr. Renwick) should know better than that. I will tell him for his own information—

Mr. Renwick: I don't know better and you don't know what I know.

Mr. Speaker: Order.

Mr. Renwick: Mr. Speaker, the question you put a few minutes ago was totally wrong. We are not here to discuss your interpretation. You know that as well as I do. This is getting to be an unbelievable travesty in this House.

4:20 p.m.

Mr. Speaker: The member for Riverdale will please resume his seat. I heard his comment regarding the Clerk. To make everything perfectly clear to all members, I did not consult with the Clerk at any time before making the decision. The decision had been made previously and it was made today on the basis of these standing orders.

Orders of the day, please.

Mr. Roy: Mr. Speaker, you should have listened to each member before you ruled on that question of order. That is what I am trying to say to you.

Mr. Speaker: No. Read the standing orders.

Mr. Roy: That is what the rule says.

Mr. Martel: Mr. Speaker, on a point of order.

Mr. Speaker: Is it a new point of order?

Mr. Martel: Mr. Speaker, can I ask you a question? I think there is a genuine concern for those of us who must read this section vastly differently from you. We are simply trying to get at how you arrived at your conclusion.

I do not question it for the moment, but if we read this carefully—and I went over it with the Premier (Mr. Davis) and the Deputy Premier

(Mr. Welch) a while ago—we have a concern as to how it reads. If there is a difference of opinion as strong as the one that obviously is developing now, then I think you either should take time to go over it with us or send it to procedural affairs. But we cannot go along with this sort of attitude towards this rule because it is very clear.

Mr. Speaker: Order. The member for Sudbury East (Mr. Martel) will please resume his seat.

The matter has been decided. I will be pleased to discuss it at procedural affairs at any time.

Mr. Foulds: Mr. Speaker, is it not both the custom and the precedent in this House that when a member raises a matter of urgent public importance under section 34(a) of the standing orders, he has the right to make a five-minute argument in favour of his motion? Then—and the word “then” is used in section 34(a)—the Speaker may rule it out of order, but only then.

Mr. Speaker: I would refer all honourable members to conditions precedent.

Mr. Cassidy: Mr. Speaker, I recognize it is the end of the session and tempers are raised. However, as a point of order, of all the rights in a parliamentary democracy one of the most fundamental is the right of the opposition to be heard, and it is the duty of the Speaker to uphold that right. I would ask you to look very clearly at the ruling you made earlier today and see whether it is consistent with that right of the opposition to be heard.

Mr. Speaker: Resume your seat.

ORDERS OF THE DAY

CONSIDERATION OF BILL 127

Hon. Mr. Wells: Mr. Speaker, the business paper shows a particular order of business. It was always our intention that Bill 127 would be debated this afternoon, and I think it would be good that we debated it. So I am going to call order 2.

Mr. T. P. Reid: Mr. Speaker, is the government House leader (Mr. Wells) withdrawing motion 11?

Hon. Mr. Wells: No, I am calling order 2.

Mr. Martel: Mr. Speaker, since the order of business today on the Order Paper is a continuation of the debate on motion 11, why is the government House leader not prepared to withdraw it? Why is he not prepared to do that rather than play some silly game at 5:45 p.m. that could allow him to call the question when some

Conservative member has the floor? I do not think we are prepared to proceed.

Interjection.

Mr. Martel: You can do what you want, but we are not prepared to proceed until you withdraw that—because at 5:45 p.m. you could get the floor and put the question. We are not prepared to accept that possibility.

Hon. Mr. Wells: Mr. Speaker, I have a very high regard for the House leader of the New Democratic Party (Mr. Martel). He has just been talking about a number of rules. I always thought they went by the rules. He should realize that once we call this order, we are into the committee of the whole House on Bill 127. The motion we have been debating, and which will stay in place, has no relevance to what we are now doing. It is a motion that has not been passed by this House.

I suggest that if the member is sincere—and I have listened for the last few days—and he wants to get into the debate on Bill 127, he can have it in a few minutes. The members over there have had their fun with their emergency motions and everything else.

Interjections.

Hon. Mr. Wells: Those members do not want us to believe they were moving emergency motions just because they wanted to have them now. We have seen through this whole sham not to allow us to have a vote on this motion. Now let us get on with the bill.

Mr. Rae: The government has to withdraw the bill. It has lost on the motion.

Mr. Martel: Mr. Speaker, if we take the government House leader at face value, that he wants to proceed, then I cannot understand for one moment why he is not prepared to withdraw motion 11.

Mr. Rae: That is right. He should admit the government is wrong and that it made a mistake. It can happen to anybody.

Mr. Speaker: Order.

Mr. Rae: The government has wasted two days' time because it made a mistake.

Mr. Speaker: Order.

Mr. Martel: Mr. Speaker, on a point of order: The other day the government House leader clearly spelled out the order of business as follows: "Orders of the day: resuming the adjourned debate on the motion for the time allocation of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act." That is the order of business for today. That is

what it says here. I am suggesting that if the minister wants to proceed, and we are prepared to, he first withdraw that motion.

Mr. Nixon: Mr. Speaker, the Order Paper we have in front of us, number 162 for today, clearly lists as order 1: resuming the adjourned debate on the time allocation motion. Order 2 is committee of the whole House on Bill 127.

Actually, I am delighted that the government House leader is calling the second order, because we can now proceed with the discussion of the bill in committee stage without the restriction that the government had tried to apply to it.

There is some indication that maybe the government House leader, being kind of a slippery and fast operator, is going to do a double-shuffle at 5:45. I do not believe for a moment that he will do that to restrict the debate on the government notice of motion when we have only heard a few of the remarks from the member for Renfrew North (Mr. Conway). We have not yet heard a word from the New Democratic Party.

Knowing the government House leader as well as I do, there is no way he would proceed with trying to ram that thing down our throats before we heard the views of all parties, perhaps including himself. Surely, if the order is to be withdrawn, it is not the responsibility of the government House leader but the Minister of Education (Miss Stephenson), in whose name it stands. Perhaps she would like to do her duty in that regard at this time.

Mr. Speaker: I will listen to the member for Bellwoods (Mr. McClellan) and then the member for Rainy River (Mr. T. P. Reid).

Mr. McClellan: Mr. Speaker, I have a concern that what is happening here this afternoon is a fundamental deviation from the practices of this House as they have existed for the last—

Interjections.

Mr. McClellan: When they are finished trying to shout me down, I will make my point of order.

Interjections.

Mr. Speaker: Order.

Mr. McClellan: For the past three years, at least, it has been the practice of this parliament that the orders of the day are shown on the Order Paper and that they are the result of prior discussions among all three House leaders. Also, the business of the House properly is announced ahead of time by the government House leader.

Today, we have had two House leaders'

meetings with respect to the business. There was no indication that Bill 127 would be called. With this procedure—they can shout and barrack as loudly as they want—I just point out that they are taking this Legislature back to the days of Eric Winkler when the government decided, on the spur of the moment, what orders of business would be called and when they would be called—the members opposite may think it is amusing; I do not—and the opposition had to try to scramble as best it could to be ready for the debate. If that is what the government wants to do with its 70 members, so be it.

4:30 p.m.

Interjections.

Mr. Speaker: Order. I am sure it was a slip of the tongue, but the honourable member did refer to the Order Paper, and the Order Paper I have—

Mr. Renwick: Come on, Mr. Speaker, do not play games.

Mr. Speaker: I am not. That is the schedule of business. I just wanted to make that point clear.

Mr. T. P. Reid: Mr. Speaker, I will be brief. The House leader for the government is not usually as provocative as he was earlier when he indicated that the opposition was having fun and playing games in terms of motion 11 and Bill 127. We were prepared to stay here forever to do the business of the House. My point of order is that, under subsection 19(9), no member is allowed to impute false or unavowed motives to another member. I suggest, Mr. Speaker, that you ask the House leader to withdraw that. We on this side still believe there are some principles that should obtain in this Legislature.

Mr. Speaker: I am sure the honourable House leader, being the generous person he is, will give that very serious consideration.

Hon. Mr. Wells: Mr. Speaker, I also heard motives impugned to me a few minutes ago about some sinister plan I had for this afternoon. I say to this House that we have a number of House leaders' meetings that are attended by the House leaders and the whips. We have had several of those meetings this week.

I have always believed, as I think the former Speaker, the member for Lake Nipigon (Mr. Stokes), used to say, these things have nothing to do with it and really cannot have any substance in this House. They help us to prepare for what will go on in this House, and I am too much of a gentleman to want to disclose what

has gone on at all the House leaders' meetings this week.

Leave it just to be said that we are in a situation now where this House would be best served by moving to the second order right away.

Interjections.

Mr. Speaker: I thought I made it quite clear that I would listen to the member for Bellwoods and then the member for Rainy River.

Mr. T. P. Reid: Let's get on with it.

Mr. Martel: Then you listened to the government House leader.

Mr. Speaker: Order.

Interjections.

Mr. Speaker: No, as a matter of fact, if the members will recall the sequence of events, the member for Rainy River made a specific request, and the government House leader got up and explained his position.

Hon. Mr. Wells: Order 2.

House in committee of the whole.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT (continued)

Resuming the adjourned consideration of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

On section 6:

Mr. Breaugh: Mr. Chairman, on a point of order: I have my Orders and Notices, which I take it you would consider to be the official Order Paper, listing the second order as, "Committee of the whole House: Bill 7, An Act to incorporate the Toronto Futures Exchange." That is the printed version, which is often referred to—

The Deputy Chairman: To clarify the point of order, we are on Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Breaugh: No. Mr. Chairman, if I may, you did call the second order. As it is printed on the Order Paper, the second order consists of the committee of the whole House in this order: Bill 7, An Act to incorporate the Toronto Futures Exchange Act. That is the order I heard called. I heard it said that the printed schedule was not the order and this was in fact the order. It would seem to me that we are now prepared to proceed with that bill. That bill could be dispensed with shortly. It should not take a long debate.

The Deputy Chairman: I have heard your point of order. I will ask for clarification from the government House leader.

Hon. Mr. Wells: Mr. Chairman, my friend knows better than that. There is only one order on the paper for committee of the whole House and I called the second order for Bill 127. If the member has looked through Hansard, he will have seen we have done this many times. We do not have any precedent here to take the bills in committee in the order they are printed here. If you want, I will now call Bill 127.

The Deputy Chairman: I appreciate the concern raised by the honourable member, but we will now proceed with the discussion of Bill 127. That is the bill before the House, that is the bill that has been called and I accept that as the tradition we have followed. There is plenty of precedent.

Mr. Breagh: I am asking for a ruling, Mr. Chairman.

The Deputy Chairman: I have just given you a ruling.

Mr. Breagh: No, you have not. You can play this a little loose if you want but you cannot get quite that loose. You have a right to call the second order, which the government House leader did. It is the second order listed on the Order Paper, and it is the Clerk's duty to put this together—

The Deputy Chairman: If the honourable member wants to challenge the chair, he can.

Mr. Breagh: I do not want to challenge the chair.

Interjections.

The Deputy Chairman: Order, please.

Mr. Breagh: Are you telling me that this Order Paper, which is distributed to each member's desk, is in error?

The Deputy Chairman: We are dealing with Bill 127 in the second order and that is what is before the House now.

Mr. Breagh: No, that is not what was called.

The Deputy Chairman: It is legitimately placed before the House and we are now in the process of beginning the debate. I think I have satisfied your point of order.

Mr. Breagh: No, you have not. You are saying that is in order, that they can call the order and pick a bill—

The Deputy Chairman: I have called you to order. I will now proceed with further discussion on Bill 127.

Just to gain our perspective, we are in committee of the whole and there is an amendment on section 6 placed before the House by the Minister of Education (Miss Stephenson). Shall I read this amendment so members are aware of where we are? I think it would be helpful so we can begin, because this is what we are going to be debating:

"I move that subsection 127(4) of the act as set out in subsection 6(4) of the bill be amended by striking out 'an amount that, in the opinion of the school board, is equal to the portion of the surplus that was raised by local taxation in the area municipality' in the 10th, 11th and 12th lines, and inserting in lieu thereof 'an amount that does not exceed the amount of the surplus, and in determining the amount of the reduction of the apportionment the school board shall give consideration to the circumstances that, in the opinion of the school board, contributed to the size of the surplus.'" This is before the House.

Mr. Bradley: Mr. Chairman, this was probably one of the matters of greatest contention and probably why we see the bill back in committee of the whole.

Members of the general government committee who dealt with Bill 127 were very much impressed at one point in the discussion of the bill in committee with the fact that the Minister of Education was prepared to accept one important amendment to that bill. That amendment would have provided for a circumstance where only that amount of money raised within a specific municipality, within a specific jurisdiction of a specific board of education, could be returned to that municipality.

Hon. Miss Stephenson: You are repeating yourself. You said that on November 16. It is in Hansard.

4:40 p.m.

Mr. Bradley: Is the minister going to start that? If she wants to start that, that is fine. I will repeat myself an awful lot after that. If the minister is going to interject with that stuff, that is fine. Perhaps we have to go over that so the House knows what transpired at that time.

If there is one thing that gave us some flicker of hope that perhaps the government was going to be co-operative on this matter, it was when the member for Oakwood (Mr. Grande) proposed a compromise amendment in committee which would have allowed only the sum raised in that municipality to be returned to that municipality at the time of a surplus.

I think the member for Wentworth (Mr. Dean) was the member on the government side who eventually agreed to that amendment. We had considerable discussion about it. All of us in the committee felt it was reasonable. If my recollection is correct, it passed unanimously. It at least passed with a majority of the committee and that would have to include members of the Progressive Conservative government.

It was a reasonable amendment. It was a reasonable stance on the part of the Minister of Education. I commended her at the time for agreeing to it and I want to do so again. When we got to the end of the bill, we heard a request in committee that we revert to this section so we could undo what we had already done, which was not reasonable in our opinion and therefore it had to be done in the House.

It was not reasonable for a number of reasons. We feel there are some boards of education which might well want to generate a surplus by cutting back on what many people would consider to be essential services in the field of education. The children in the schools under that board of education might well suffer as a result of cutbacks in various programs, which I will not repeat at the present time, that have been implemented in the different jurisdictions in Metropolitan Toronto.

There was a feeling that immediately before election time or at a time when municipal taxes were being increased, a board of education might well be in a position to gain, if I can use the terminology, Brownie points with a certain portion of the electorate by indicating how frugal and supposedly efficient it had been by returning a surplus.

As politicians, we all know, particularly those of us who have served at the municipal level, that when a sum of money is returned to people in terms of a lower mill rate or lower expenditures than might have been anticipated, the politicians in office at that time are often given the credit. Nevertheless, we find this can often be accomplished only by removing essential programs.

I want to commend not just the Toronto Board of Education which has received a lot of accolades for the programs it has implemented to meet its special needs, but many of the boards of education in the jurisdiction of Metropolitan Toronto that have looked at circumstances which are unique to their specific areas and implemented programs to meet them—I think of English as a second language and special education programs—because they are in a

position to do that, probably more so than those of us who come from what I call the hinterlands. Our electorate recognizes this only from a trip to Toronto.

In Metropolitan Toronto, we are now dealing with a very cosmopolitan circumstance in terms of population. For instance, in other parts of the province there are fewer people who would be speaking a language other than English in their own homes. We know many of the children who go to schools in the jurisdiction of Metropolitan Toronto hear another language at home and perhaps seldom hear English spoken in the home environment, except through television or the other media. Therefore, I commend those boards of education which have attempted to meet those needs.

If we have an opportunity whereby they can gain more than they have generated from within their own municipalities in terms of a surplus by running a surplus in a particular year, then that incentive is going to be there. Despite the rhetoric of this bill and the cantankerous debate that has taken place on the closure motion, I think there are many government members who are interested in maintaining those programs.

As representatives, the members know their own ridings and the importance of those programs. If they gave it a good deal of thought, I think they would be very reluctant to have a board of education placed in a circumstance where by generating a surplus which is good with the electorate, I guess, just before the election, they are going to be cutting programs and cutting corners in various areas to the detriment of those children.

All of us, regardless of which riding we represent, and I guess all of us in Canada, recognize we are in an extremely competitive world. Many wiser than I have said we are in a circumstance now where Canada is not in the favourable position it was in the post-war era when, almost by default, although there were resourceful and good people in the various levels of government, it was able to accomplish more than some other nations, which had been ravaged by war.

As we get into 1983, no one here would argue the fact that we are in a very competitive world. Many of those nations which were devastated by war are now stepping ahead of us in many areas. One of the major ways we can compete with them effectively is by having a top-notch educational system in Ontario and other provinces in this country.

If we have an incentive, as would be the case

through the minister's amendment, for people to cut back in programs which are essential to providing quality education in this province, then we are going to reduce our opportunity to be competitive in a tough world.

The example we all hear is that of Japan which, after having been ravaged and devastated by its participation in the Second World War, has bounced back. They have approached this in many ways. One way is how they have geared their education system. They have placed the dollars in the education system which are necessary to make them a very competitive country.

I go back to the fact that the amendment that was proposed and agreed upon was not a circumstance we were entirely happy with in the bill. We would have preferred entirely different wording. Indeed, we would prefer the entire bill to be withdrawn and the consultation process to start again. Obviously, that will not be done by this government, so I want to gear into the amendment, as I know the Chairman would want me to.

I do not do this to embarrass these people, but if the member for High Park-Swansea (Mr. Shymko) and the member for St. George (Ms. Fish) were there, I am sure they would have looked at it as favourably as the minister did at the time the amendment was brought forward by the member for Oakwood, which was a compromise amendment accepted by the government members.

Why did the minister turn around after having accepted that? I do not want to be overly repetitive of the fall session, so I will not read into the record the minister's exact words as she agreed to the amendment; others may do so. We look for compromise; we look for reasonableness in this House. We know the government has the majority; indeed, in committee, the government can do as it pleases.

There were times when I have tried to embarrass the member for High Park-Swansea in this House; I concede that, but I am not doing this to embarrass him now. I know he is a person who understands the importance of education; I know that very well. I know that if he were sitting in the committee, he would have applauded the minister and the member for Oakwood and those of us who sat in the Liberal Party on the committee as, together, we worked out a reasonable compromise.

I think he would have been concerned and angered when, at the end of the bill's passage through the committee, the minister then decided

that compromise would not stand. She had talked to some people on the outside—if he could, the member for Oakwood no doubt would interject, "The chairman of the Metropolitan Toronto School Board and others"—who obviously said, "We will not accept this amendment and you must undo what you have done."

4:50 p.m.

So we are saying that we think the minister should not proceed with this amendment. If she were to withdraw the amendment, I think she would find that this particular section and subsection might well pass without very much debate; that if it were left the way it left the committee, we would not have a large wrangle over this specific section of the bill. We might well have some considerable debate on subsequent sections and subsections, but on this section we would not.

So I look across to the members of the government, hoping they have listened to the debate, read the Hansard from December and read the Hansard from the committee if they did not have the opportunity to be in the committee at the time for various reasons, and hoping they will implore the minister, who sits on the same benches, to show the kind of reasonableness again that was shown for one moment in the debate in the committee and withdraw this amendment. I think she would find the kind of co-operation she is looking for in this specific section if she were to do so and leave it as my friend the member for Oakwood had amended it in committee.

I know that others in my party had the opportunity to speak to this in the fall session, as I did. We did not change the minister's mind on that occasion, but during the short holiday that members of the Legislature had, she has had a chance to reflect upon that decision to undo what she had previously done and been applauded for.

The members of her party who have supported her position in the House, somewhat reluctantly in some cases, could speak to the minister and say:

"We have a chance here to show our reasonableness. We are using the hammer of closure. We have just taken it away because we know it is not going to work; the opposition has outfoxed us on it, so we have to withdraw it and proceed with the bill for a while at least.

"So we can show some reasonableness and indicate to the opposition just how reasonable we can be when we recognize that the best possible bill must emerge," even though, as I

emphasized, the best possible bill would be a bill that would be redrawn after consultation with the various groups that have expressed extreme opposition to this, as well as, of course—and I think the minister has to hear all sides—those who are proponents of this bill.

I could go into great detail on the various programs within the various boards of education that could be cut if this amendment goes through and provides that incentive for the boards of education to rack up surpluses as opposed to deficits or as opposed to staying within the regular budget that one would have anticipated.

How the minister can provide the incentive—and she is a person who is committed to education, otherwise she would not be the Minister of Education—for people to cut what could be essential, needed programs I do not know. I do not understand how she can do that and how she can allow others from the outside to persuade her that this is a reasonable stance to take.

I indicated I would not be unduly long on this section of the bill. I only indicate our great opposition to this amendment and our hope that the minister will withdraw it and that her colleagues in the House will indicate their approval of a withdrawal of this amendment.

Mr. Grande: Mr. Chairman, the games are over. The government has decided to leave the games aside—a wise move—and get back to the bill to discuss the amendments, as is normal procedure in this Legislature, clause by clause, amendment by amendment and subamendment by subamendment.

In the course of this debate I hope to be able to put forward the 50 amendments to this bill I have prepared. I hope the government as well, the Minister of Education now having failed in her effort to cut the time for debate on this bill, will not attempt similar tricks; that the government will say, “Well, let this bill take the time it requires for the debate.”

Let me start the debate on subsection 6(4), which is probably one of the most dangerous sections in this bill. It is dangerous for many reasons, but the most important reason is this particular section says the cutbacks in education in Metropolitan Toronto for now should be moving at a faster pace than the government has been able to achieve through the legislative grant structure.

In effect, this particular section says any board of education in Metropolitan Toronto is able to keep for itself the surplus it generates. As

I understand it, if a particular board has a \$23-million budget—and it obviously has budgeted to spend that \$23 million to deliver educational services to children—and at the end of the year it has \$1 million left because it has spent \$22 million and not \$23 million, then that board will keep \$1 million.

That is regardless of the fact that money does not really belong to that board, and despite the fact that money was generated throughout all of Metropolitan Toronto and what the particular area board received in terms of funding and expenditure for the delivery of educational services is determined through the Metro allocation formulae.

Once that allocation has been made, the board goes through its budgets, makes budgetary decisions and says, “We have this much money, we can only spend this much money.” As the Minister of Education knows—and I am sure, Mr. Chairman, you are well aware—the Education Act in this province prevents a board from budgeting for a deficit. They cannot and should not do it.

If for some reason they happen to do that and the ministry determines that a particular board has said, “We are going to plan for a deficit this year,” and has so stated before it passes the budget, the Ministry of Education of this government has the power through the Education Act to go to that board and demand to know the reason. Therefore, no board across this province can work with a deficit situation.

Through this particular amendment, a board that is scrupulous in how it allocates its funds could end the year with a saving. I want to state to the minister, so she will understand clearly, that that saving is effected at the expense of educational services to children.

By allowing this amendment to Bill 127, the Ministry of Education and this government are saying to the boards of education: “Cut back on services to kids, because if you do, we will give you an incentive. We will reward you for doing that; we are going to let you keep the whole bundle.”

What the government will have across Metropolitan Toronto is boards—some boards more than others—that are going to be scrounging, that are going to cut back on services, that are going to be saying: “The ministry guidelines in terms of special education require eight children per class, but maybe we can put in nine or 10 kids and save a teacher here and there. By

doing that, at the end of the year we can come up with a nice bundle of money."

5 p.m.

That, in essence, is a destruction of those programs. I do not want to put it to the minister in any other terms, because I firmly believe she understands what she is doing. The minister and this government understand fully what they are doing. They have heard, if not listened to, the parents and the trustees of the area boards in Metropolitan Toronto.

The latter, from the very beginning in March—or was it June?—when this bill came before the Legislature for the first time, decided to pass a resolution in support of it. Those trustees did not have any information whatsoever upon which to base their decision. After gathering more and more information on the issue of Bill 127, and this section in particular, it is becoming evident to the trustees of those boards and they are saying: "We did not understand this before. Now that we are beginning to understand it, we do not like it."

The minister should not be surprised that at a meeting in North York to reconsider Bill 127, from a position of two in opposition to Bill 127 and 16 in favour of it, that board came to a vote of eight in opposition to Bill 127 and nine in support of it.

Hon. Miss Stephenson: What about York?

Mr. Grande: I will come to that. There is time. This is clause by clause. We have all the time in the world.

The Deputy Chairman: We have time as long as we are speaking to the bill, not being repetitious and tedious. Within the constraints of the guidelines of the House, we have time.

Mr. Grande: The tedium the members in this Legislature may feel as a result of my being on my feet to speak is just a little, tiny pain in comparison to the services to kids that this bill will destroy. Therefore, I am not particularly concerned about the tedium nor about the repetition. As has been said, one has to repeat something 15 times in the normal course of events before people will begin to understand. I am convinced that with Tories, one has to do it 17 times.

The Deputy Chairman: The chair does not want to encourage dialogue as your presentation continues, but the chair will not allow that much repetition.

Mr. Grande: You are quite right. I think the minister has heard it about three or four times.

Tonight will be the fifth. After this bill is through and the government has decided its best course of action will be to withdraw it, the government will be hearing those things again and again and not only from me.

I am reflecting in this Legislature the wishes and needs of children and parents, the needs of education in this province. I am not going to say the Minister of Education is not doing that; she may be doing that from her point of view. That is what this forum is all about, to debate views and differences of opinion, to say where those differences lie and where we stand. I believe we have made it clear and will continue to make it clearer where we stand on this issue.

One thing I really do not want to let go, because it came as close to misleading this Legislature as anything has ever done, is the Premier (Mr. Davis) talking about the 96 hours of debate on this bill. Some hours of that debate supposedly were on subsection 6(4). The Premier allowed the people in the gallery and those who watch TV to believe that somehow there was a tremendous amount of time allowed to debate this bill. If the Premier were here, I am sure he would stand up and correct his own record because, in effect, we have had only 13 hours of clause by clause debate in this chamber, no more than that.

Interjection.

Mr. Grande: We are talking about clause by clause in the Legislature. The Premier said we have had enough time to debate this in the House.

The Deputy Chairman: Speak to the motion, my honourable friend.

Mr. Grande: Mr. Chairman, I am.

The Deputy Chairman: You are talking about time now.

Mr. Grande: Sure. I guess we might as well leave the time allocation to die on the Order Paper as gracefully as the government would have it. Instead of withdrawing it today, they have decided they will leave it on the Order Paper and it will die a natural death on the Order Paper when the Legislature rises. The little games adults play.

The Deputy Chairman: The motion before the House is what you are really working up to.

Mr. Grande: Mr. Chairman, I am attempting to address myself to a particular subsection of section 6. Basically, I wanted to return to that eventful day in the committee the member from St. Catharines (Mr. Bradley) referred to earlier

in his speech, when the Minister of Education decided it made good sense to accept the motion I put forward.

For the record, I will read it. "Where the estimates for public elementary and secondary school purposes of a board of education in the metropolitan area that are approved in whole or in part by the school board have been reduced in accordance with clause 133(1)(b) by the application of a surplus, the school board shall, except where it considers that the surplus is attributable to the provision of moneys pursuant to clause 133(9)(b), reduce the apportionment for public elementary or for secondary school purposes, as the case may be, to the area municipality in which the board of education has jurisdiction by an amount that, in the opinion of the school board, is equal to the portion of the surplus that was raised by local taxation in the area municipality."

In clause by clause in committee, the minister gave instructions to the members of her government who sat on that committee that this motion was acceptable. For the very first time, we did not see six hands popping up to defeat the five hands from the Liberals and the New Democrats. For the very first time, the minister said: "Yes, we will accept that. It makes perfectly good sense." The surplus that a board would keep, if indeed we want to give local accountability, would be that particular amount of money or funds raised within the boundaries of that area board.

5:10 p.m.

Basically, if the city of Toronto had a surplus of \$2 million, the city of Toronto would retain only 40 per cent of that \$2 million because, as the minister knows, in terms of the Metro pot, the funding that comes to the Metropolitan Toronto School Board from the city of Toronto, percentage-wise, is 40 per cent of all the money that is collected.

Therefore, it would make sense that if Toronto has a surplus of \$2 million, then Toronto would retain only 40 per cent of that \$2 million and the rest would be returned to the Metro Toronto pot, so to speak, for redistribution to the other area boards from where that money was raised.

I feel strongly that it is unfair to the people in the borough of York that that area is the highest-taxed municipality in all of Metropolitan Toronto. But in a city like Toronto or a city like North York, which has a tax-base that the borough of York does not have, it seems inappropriate to me that that board should

retain the \$2 million, or a portion of the money which was raised in the borough of York.

I consider that to be unfair. I consider that to be inequitable. Therefore, that should not be allowed. However, the amendment the minister puts before us says that should be allowed, that should be encouraged, because through that process they get boards of education to cut back in children's services.

It is a mistake. The minister knows it is a mistake. The minister, her officials and the government accepted that common sense reasoning and they said, "Yes, we will accept that." Therefore, it appeared in the printed version that came out of the standing committee on general government some time back.

What happened between that point and the end of the clause by clause, only God knows. I can only speculate. My speculations may be wild but, none the less, they say to me that those people who wanted the Minister of Education to bring forward Bill 127—let us remember that the minister has not owned up to the fact that it is her government's bill; she continuously says it is Metropolitan Toronto's bill, it is not hers, she is just being a mouthpiece for them.

Hon. Miss Stephenson: I never said that. I am not a mouthpiece for anybody.

Mr. Grande: I do not want to begin a debate with the minister. The minister should be listening now instead of confronting. Something that she is an expert in is confrontation.

Hon. Miss Stephenson: Speak accurately.

Mr. Grande: She will make a good opposition member some day soon, I hope.

The Deputy Chairman: We are looking at the motion. I want the member to deal more directly with that than personalities.

Mr. Grande: I am, Mr. Chairman. Therefore, as I was saying, I can only speculate in terms of what happened between that day—I do not recall the date but it is unimportant—when the minister and the government accepted that amendment and the end of the process of clause by clause debate when the minister came back and said, "I would like to refer back to subsection 6(4) because I have an amendment." We found out the amendment was to return that section to exactly the way it was before. The flip-flop took place.

What happened? I speculate that Charles Brown, the secretary-treasurer of the Metro board; John Tolton, the chairman of the Metropolitan Toronto School Board; Mr. McCleary,

who used to be the chairman of the North York Board of Education, and Mr. Davis, who used to be the chairman of the Scarborough Board of Education, those people who were the initiators of this particular bill went to the minister or the minister went to them—one way or the other—and said:

“Absolutely not. You cannot do that. You have to change your mind. You have to bring it back the way it was, because otherwise we will not need this legislation. Otherwise, what is the point of this exercise? What is the point of this Bill 127, if we are not going to be able to retain that surplus, if we are not going to be able to reduce services to children? We are in agreement with you.”

They would say: “We are in agreement with you, Madam Minister, that we should cut back, but you have to give us an incentive to cut back. You have to make it worth while, because you know we are going to have a lot of parents screaming at us for cutting services to their children.” Therefore, they would have to be handsomely rewarded in order for them to accept this particular bill. “Without that section,” they said, “we want no part of it. We want no part of this bill.”

Let me begin the debate on this amendment by taking the members back to May 4, 1978, when—

Mr. Chairman: Is that when we started on this amendment?

Mr. Grande: Yes. I assure the chairman that is where this amendment had its birth. It did not have its birth with those people the minister claims it had its birth. It had its birth in the minds of those people on that side of the House. That was when the member for Scarborough North (Mr. Wells) was Minister of Education in this province. He presented to the Legislature a white paper entitled, Government Statement on the Review of Local Government in the Municipality of Metropolitan Toronto, May 4, 1978.

The members will recall that when the Robarts commission report came down it was debated for a year across Metropolitan Toronto and the late John Robarts made a recommendation that the Metropolitan Toronto School Board should be dissolved. He said it was no longer needed; the problem was a financial problem.

The problem was the Ministry of Education, or the government through the ministry, through its legislative grants, could achieve exactly what it wanted the Metro board to achieve because

now the schools had been built in North York, in Scarborough and in Etobicoke. The schools had been built, so there was no point because there were not going to be tremendous capital expenditures any longer in education.

Since 1969, we were beginning the slow process of declining enrolment so that no great, big capital expenditure would have to be made. Therefore, the late John Robarts said: “Forget it. You do not need Metro. Scrap it.”

5:20 p.m.

The government came down with a white paper to tell us exactly what they thought they should be doing, the response to the Robarts commission report. I will not read the whole report, but I am going to quote some very salient and apropos lines in it.

Mr. Chairman: Hold to the amendment.

Mr. Grande: Yes, of course, no doubt about that.

The Minister of Intergovernmental Affairs (Mr. Wells) says, “Even in the four years since the Rose commission study”—you remember the Rose commission report, Mr. Chairman, the one that—

Mr. McClellan: I don’t think he does. You’d better remind him about it.

Mr. Grande: I am just trying to provide some background so members of this Legislature can, for historical reasons—

Mr. Chairman: I will pick it up as you go along.

Mr. Grande: All right, thank you.

The Rose commission report established the local levy as a permanent entity in Metropolitan Toronto.

Mr. Chairman: I remember this from November. I have the uneasy feeling that you might be repetitive.

Mr. Grande: Mr. Chairman, if you believe it is repetitive, I assume you have Hansard in front of you.

Mr. Chairman: Yes, as a matter of fact, I do. If you want to carry on, I will refer to—

Mr. Grande: Mr. Chairman, do you want me to sit down?

Mr. Chairman: No, carry on. I will interrupt if I think it is appropriate.

Mr. Grande: At that time, the then Minister of Education and now the government House leader said:

“It is our conclusion that in these times in

which we find ourselves, it is imperative that we have a strong and effective Metropolitan Toronto School Board . . . a board that can build effectively upon the many co-operative structures that have evolved over the years and that can increasingly exercise the kind of aggressive leadership which I feel the citizens and taxpayers of Metro Toronto have a right to expect in the period ahead."

The point of that quote is that it was not as a response to these chairmen and trustees in Etobicoke, North York, Scarborough and York that the Minister of Education brought in Bill 127. That bill was brought in as a result of this government's need and wish to strengthen the buffer zone between the delivery of educational services and the government.

In due course I will get to the financial arrangement and the rewards this government gets from having the Metro board. In other words, this government wanted to strengthen the Metro board. It wanted the Metro board to have the powers it felt it should have to tell the area boards exactly what to do and give the funding to the area boards—of course in consultation, harmony, and hand in hand with the provincial government.

The fewer people one has to contend with, the better the government's chances of controlling them. As for the deal with Toronto, East York, North York and all these trustees, the government would say, "By God, one of these boards may begin to have a philosophical difference with this government over education delivery to students. At that time what do we do? Let us strengthen the Metro board and make sure that will never come about."

Basically, we are back to 1978. It has nothing to do with those trustees saying to the minister, "We want this bill. Bring it in. Help us," and all that kind of nonsense the minister has been talking about over the last five or six months. If members think I am repetitive, they should be reading the speeches of the Minister of Education on Bill 127 from the beginning until last night.

Mr. Chairman: She is not talking now.

Mr. Grande: That is correct.

Hon. Miss Stephenson: Where did I speak last night?

Mr. Grande: The night before when you spoke on the introduction of notice of motion 11, you repeated exactly the same verbiage we have been hearing for six months. The problem is—

Hon. Miss Stephenson: I have been listening to the same thing from the member for that length of time. You haven't offered any new arguments.

Mr. Grande: Because the educational problems that this government—

Mr. McClellan: Democracy is really unacceptable, isn't it?

Mr. Grande: The educational problems that this government creates in Metropolitan Toronto and across this province are the same. I am not talking to the minister about the rocks and stones. I am talking about kids and kids' programs and those needs remain constant because she and this government do not look after them or provide funding through which those needs can be looked after.

The government is not only leaving the boards alone through this motion and saying, "We will give you a five, six or seven per cent increase in funding." It is saying to those boards, "Cut back and we will reward you for the cutbacks." That is a double whammy to those kids who need services.

I think the minister understands it, but she is locked into her dogma. As we proceed I will attempt to show the dogmatic approach this minister and government have been taking and how locked in they are to that process.

Let me continue with the government's white paper, its statement regarding local government in the municipality of Metropolitan Toronto.

Mr. Chairman: Because it refers to the amendment?

Mr. Grande: Of course it does, Mr. Chairman.

Mr. Chairman: How does it?

Mr. Grande: Mr. Chairman, hear me out—

Mr. Chairman: I am asking.

Mr. Grande: —and then you will determine whether it has to do with the amendment or not.

Mr. Chairman: You are so crafty. You would get it all on the record and then I have to decide, but it is too late then.

Mr. Philip: That is the role of the Speaker, isn't it?

Interjection.

Mr. McClellan: You can move closure once you get to the floor—

Mr. Grande: Mr. Chairman, one of the things discussed at that time regarding the Roberts commission report—

Interjections.

Mr. Grande: May I proceed, Mr. Chairman?

Mr. Chairman: Yes, absolutely. If it makes you feel any better, I have been reviewing Hansard of November 16 and I must confess I cannot find any place you made reference to the Lowes report.

Mr. Grande: Exactly, because I did not. Thank you.

Mr. Chairman, at the time of the Robarts commission report when John Robarts said the Metro board should be scrapped, one of the issues being debated was that if one wanted to continue the Metro board one should have direct elections to it. This would be so there would be direct accountability between the people and the trustees who go to Metro. The government said, "That sounds like a good idea, but we need to do further studies." I have not heard a thing about it since that time.

Another part of that report talks about "the portion of the formula allocated that is not spent by the board." In other words it deals exactly with this amendment. On pages 5 and 6 of that report it says: "The government has been anxious to provide a mechanism which would reward an area board if it is able to exercise efficiencies of its own within the Metro formula. In other words, we believe that, if an area board is able to hold its expenditures below the level of Metro-allocated funds"—Mr. Chairman, are you listening to what I am saying?

Mr. Chairman: Yes.

Mr. Grande: I will continue with the quote—"it should be possible for that board to pass on such savings to its taxpayers in the form of a mill rate reduction." That is exactly what that surplus amendment talks about.

It is not the trustees of Metropolitan Toronto who forced this minister and this government to bring in Bill 127. It is the government that has had this intention since the year 1978, and even before 1978. One day it was going to do it and here is the opportunity to do it through Bill 127.

Do you know whose bright idea this was, Mr. Chairman? Let me tell you: it was the member for York East (Mr. Elgie). I am quoting from page 6, and I want to make sure you know this is a quote: "Dr. Robert Elgie, MPP for York East, has been a strong advocate of this kind of measure. 'I have agreed with the suggestions, as has the government. The result is a proposal in this paper which would permit an area board to retain, for the purpose of reducing the mill rate within its jurisdiction, a portion of formula-allocated funds not spent by the board.'"

It was the Minister of Consumer and Commercial Relations who planted this idea in the cabinet's mind. This is the person who, in dealing with the people in East York, the people who opposed Bill 127, has been saying, "The government wants to do it and I have to go along with it."

Mr. Chairman: Back to the amendment.

Mr. Grande: I am talking to the amendment.

Mr. Chairman: No, you are giving heck to the minister who is not here.

Mr. Breaugh: Where is the Minister of Education?

Mr. McClellan: Are you saying you can't talk about the bill because the minister has gone?

Mr. Chairman: I am not defending the minister. I am just asking the member to speak to the amendment.

Mr. Breaugh: Which member over there is carrying this bill.

Mr. Nixon: Let's save it for tonight. It will be a lot better tonight.

Mr. Chairman: I agree with the House leader for the Liberals. Let us save it for tonight.

Mr. Grande: Mr. Chairman, I was reading the report. I am not mentioning the member for York East to try to say anything about him when he is not here. He is certainly capable of defending himself quite well on occasions. What I am doing is quoting from this report. The *raison d'être* for the amendment we have before us in Bill 127 did not come from the trustees of Metropolitan Toronto. It came from the government; in particular it came from the member for York East. That is what the quote is all about.

The Minister of Education right now is probably conversing with some of her officials; she should own up to her own legislation. It is her government's legislation. She wants Bill 127. She wants to reduce services to children in Metropolitan Toronto and across this province. She wants to fire teachers in this province. She wants to close schools in this province.

Mr. Chairman: That is definitely not on the amendment.

Mr. Grande: What are you talking about?

Mr. Chairman: You are talking about firing teachers across the province. To my knowledge, Bill 127 has to deal with Metro Toronto.

Mr. Grande: Then across Metropolitan Toronto.

Mr. Gillies: Which is it? They are two different places.

Mr. Grande: Firing teachers for the time being across Metropolitan Toronto.

Mr. Gillies: Have you ever been out of the city? We would love to have you.

Mr. Grande: Yes, I will come to the member's part of town. I am sure I will be there again and again.

The minister and the government cannot hide behind the Metro trustees and say they are the ones who want this legislation. I am trying to point out it is the government that wants this legislation and it should own up to it. It is the government's legislation.

I have a sheet of paper before me entitled, "Summary of Operating Surplus and Deficit Amounts, Total Elementary and Secondary in Metropolitan Toronto," ranging from 1968 to 1981. It shows the boards that have created deficits and the boards that have created surpluses over that past number of years.

North York produced deficits of \$136,000 in 1970, \$100,000 in 1974, \$618,000 in 1976, \$1,852,000 in 1978, \$2,137,000 in 1979, and \$869,000 in 1980.

The member for Brantford (Mr. Gillies) was quoted in the press about the problems of North York in the Jane-Finch corridor and all the violence and crisis that will develop. It seems to me if North York were to start looking seriously at creating programs for the children within its boundaries to alleviate the concerns the member for Brantford has about the area, it would have to spend some money. It would seem to me one has to begin to develop programs that go to the heart of the concerns the member for Brantford expressed.

If North York attempts to do those things and ends up with a deficit, then even though there is a Metropolitan Toronto School Board the minister and this government will say through this bill: "North York, you pay it yourself. Metropolitan Toronto is not going to help you out."

There is a very unjust factor about this amendment and how it works. It is unjust to North York, to York, to East York and to the city of Toronto. It is unjust, period. One cannot deny the existence of Metropolitan Toronto at the same time as one strengthens the Metropolitan Toronto board. It is a basic contradiction in Bill 127.

Anyway, I want to get to the needs of children. I have been speaking in generalities but I want to get to specific needs of kids.

If we stand up in this Legislature and do not reflect the people out there, we are talking in a vacuum, which is meaningless. So I am going to try to reflect those fears—and they may be fears—and concerns the parents and teachers in Metropolitan Toronto have about this particular section in the bill.

5:40 p.m.

The other day my leader asked the question of the Minister of Education: "In 1975 your government was providing boards in the province with 61 per cent of the cost of education. This year your government provides boards only a little over 50 per cent—50.8 per cent." The minister is cutting back on her commitment to education in this province. That cutting back, in effect, forces the local level to pay more and more money.

The property tax is the only source the municipalities have to raise dollars. What has been happening is that the government reduces its commitment to funding and the municipalities have to pick it up. As a matter of fact, since 1975 the municipalities have had to pick up more than \$200 million because this government has reduced that commitment.

In terms of Metropolitan Toronto, last year the Minister of Education and this government passed on to Metropolitan Toronto only 15 cents for every dollar that was spent on education in Metropolitan Toronto. I understand the reason the government did that and I accept it, I really accept that.

What it basically says is that through the legislative grant structure the wealthier the municipality the less money it will get from the province. It is a fair way to do it because a northern Ontario board may receive 95 or 97 per cent of its money, or—well, not 100 per cent, because they have to have a school there. I understand that and I understand the grant system and how it functions.

If it functions for the province it ought to function for Metropolitan Toronto as well. What happens is that the ministry needs a buffer in Metropolitan Toronto. It needs a place where, if people scream about educational services for kids, the ministry says: "It is not our fault, it is Metro. Go speak to Metro." Those Metro trustees will deal with parents in a very fast way by saying, "We do not want to hear you out. We do not want to listen to you. We have no time."

Concerning the funding I was taking about, the total school expenditure increased between the years 1971 and 1982 by 172.2 per cent. The

increase in provincial grants over that period of time was 125 per cent, while the increase in the local share was 244.2 per cent. The provincial grant per pupil increased only by 153 per cent. In effect, the local level having to pick up more and more of the share is evident through these statistics.

I want to talk about the needs of children who in the past several years, the 1950s and earlier, have come to Metropolitan Toronto. I am one of those people who has had, for better or for worse, learned the language of the country, and speak and write that language. Without that, there is not anywhere one can go to get a decent job.

In the 1950s when I was in the school system as a youngster of 10 or 11 years of age, there was no such thing as an English as a second language program. There were no such classes set up. What happened to me was that the teacher tried in the best way possible to put me at the back of the classroom saying, "When I have some time for you, I will come and see what you are doing."

It so happened that I was quite capable of doing mathematics and geometry. I sat in the back and worked in mathematics. No language is required to do that. But when they were talking about King Henry VIII, the history of England, the kings of England and the work that was written on the blackboard, I did not understand a thing. Basically, for one whole year, I was sitting at the back of that classroom not understanding very much about what was going on.

The minister or anybody can say, "Well, after two, three or four months, you started to learn some English." True, but I did not learn the English that the school required for me to progress through the school system. I was learning the language of the street, that of my peers. That was not the language of the system which the school required.

In the process of coming to this country and continuing my education here, I was placed two years behind my normal grade. That is one of those things, I guess, an immigrant has to go through, losing two years of his life because he came to this country and did not speak English. I guess a lot of people from that side of the House might accept it as something that should take place or something that they do not question very much.

Since the 1950s, we have developed programs to help those children. We have developed programs in English as a second language as well as English as a second dialect for our

children in the system who come from West Indian or other countries. We have developed classes to meet the needs of those children. Bill 127 says in this particular section, "We want those classes cut back."

5:50 p.m.

Mr. Chairman, I do not apologize to anybody for speaking with a certain sense of emotion about this particular area. I have tried to raise this issue with the Minister of Education ever since I came to this place in 1975. Every year, consistently, whether through the Legislature in questions or through the estimates of the Ministry of Education, I have raised those very same problems and concerns. Here is the response, Bill 127, which says: "Cut back. Get rid of some of those teachers who teach English as a second language. Get rid of some of those programs."

My question to you, Mr. Chairman, and through you to the minister and to this government, is how on earth are those children who do not speak English to learn to speak English so that they can progress through the educational system and fulfil their potential? How is that going to happen?

The answer the minister gives me is: "They are not going to be cut back. Who says they are going to be cut back? Those are only fears the people talk about. They are just trying scare tactics. There are not going to be any cutbacks. There are not going to be fewer teachers in the schools."

The Minister of Education is wrong; because once the Metro board makes a determination of how many teachers an area board will have, that number will be fixed and the area board may decide how to use those teachers. None the less, if that number is a lesser number from the beginning, however that number is sliced there will be fewer than there were the year before.

Therefore, in terms of English as a second language, a board will say, "You are going to have fewer teachers. We have fewer teachers to teach those children English."

None of those people over there would deny that those children must learn English. As a matter of fact, they would be the ones who would scream if those children could not learn English and, perhaps, spoke another language on the street or on a bus. There will be some screams. But I am not concerned about those screams. What I am concerned about is that those children learn the English language to the best of their ability so they can find a job. Bill 127 denies those kids those opportunities.

The government is wrong and it should not be

allowed to do that. I have told the government to withdraw this particular section and this particular Bill 127, or at the very least to return this clause to the way it was passed in the standing committee on general government. If the government does that, at least it will have built some justice into that system.

As it is, and the government and the Minister of Education want to change it back to the way it was in May, there is no justice in that particular setup.

I spoke of children who learn English as a second language, and I could speak of children whose parents want to have them learn French in our schools, whether it is French as a core subject for 20, 30 or 40 minutes a day, or whether it is French as an immersion program in our schools.

What happens is that the minister is trying to convince the public, is trying to convince people that Bill 127 does not damage the delivery of French services to children.

Mr. Rotenberg: That is right.

Mr. Grande: The member for Wilson Heights should try to understand what is happening.

Mr. Rotenberg: I understand that.

Mr. Grande: How could this bill not reduce the number of teachers who can teach French to our kids in the different area boards when the decisions are made at the Metro level, and the Metropolitan Toronto School Board has not understood that at all?

Which boards teach French? Is it the Metropolitan Toronto School Board, North York? North York has some French programs, but the fact is that the Metro board does not generate the teachers or their allocation. It does not allocate enough teachers to be providing those programs for those kids.

The irony of this whole process is that the provincial government gets the money from the federal government to do that. The provincial government passes that money, supposedly, less or a little bit more—

Hon. Miss Stephenson: A good deal more: 14 per cent comes from the feds.

Mr. Grande: A little bit more, Madam Minister. It passes that money on to the Metro school board. But the Metro school board does not account for that money. It does not tell parents how much money a particular board got for a particular French service. It is all in a big pot.

So nobody is able to decipher that. Nobody is able to come to any determination on how many dollars come from the federal to the provincial government, how many dollars the provincial government passes on to Metro, and how many dollars Metro then passes on to the area boards to teach French as a core or French as an immersion program.

Mr. Laughren: The member for Wilson Heights does not even understand the bill; that's the problem.

Mr. Grande: Maybe I should dig up the brief, I think I will do it because the member for Wilson Heights should have been in the committee to hear the deputation by Lois Thomas who is a representative of the Canadian Parents for French in the Metro area. She said, basically: "The minister said in these hearings the other day that there was no need to provide extra staff because it was an integral part of the curriculum and could be taught by the regular classroom teachers."

Does the minister understand what happens here? The minister and the Metro board both say that French can be taught by the regular teacher so there is no need for other teachers.

Let me continue because the member is the one who forced me to get hold of the brief, otherwise, I would probably be just as happy to talk about it, express the concept and leave it at that.

Another quote, "The grants from the province, those 'significant and identifiable' grants intended as incentives for improving French programs, are in fact not identified at the Metro level but are thrown into the general Metro pot and are not traceable as money to be used for core French teachers or other extra costs."

In other words, parents cannot find where the money goes and how the money is spent. The children in Metropolitan Toronto have needs that the money should be spent on, but Bill 127 cuts those teachers.

Mr. Chairman: It being six of the clock, I think I will leave the chair.

Mr. Grande: Mr. Chairman, in that particular case, I will adjourn the debate.

Mr. Chairman: No, I just leave the chair and we will start again at 8 p.m.

The House recessed at 6 p.m.

CONTENTS

Thursday, February 17, 1983

Oral questions

Bennett, Hon. C. F., Minister of Municipal Affairs and Housing:

Housing programs, Mr. Epp, Mr. Philip. 7733

Drea, Hon. F., Minister of Community and Social Services:

Metro Children's Aid Society of Toronto, Mr. R. F. Johnston, Ms. Copps. 7730

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:

Status of Greymac and Seaway, Mr. Peterson, Mr. Renwick. 7725

McMurtry, Hon. R. R., Attorney General:

Deaths at Hospital for Sick Children, Mr. Rae, Ms. Copps. 7735

Miller, Hon. F. S., Treasurer of Ontario and Minister of Economics:

Economic projections, Mr. Peterson, Mr. Rae, Mr. T. P. Reid. 7727

Job creation, Mr. Rae, Mr. Peterson. 7728

Ramsay, Hon. R. H., Minister of Labour:

Employee health and safety, Mr. Martel. 7732

Walker, Hon. G. W., Minister of Industry and Trade:

Closing of Kimberly-Clark mill, Mr. Piché. 7736

Private member's motion

Motion to set aside ordinary business, Mr. Peterson, Mr. McClellan, Mr. Roy, Mr. Cassidy,
Mr. Martel, negatived. 7737

Committee of the whole House

Municipality of Metropolitan Toronto Amendment Act, Bill 127, Miss Stephenson, Mr.
Breaugh, Mr. Wells, Mr. Bradley, Mr. Grande, recessed. 7742

Other business

Birthday of member, Mr. Nixon. 7723

Delivery of report, Mr. Elston, Mr. Norton. 7723

Constituents' requests, Mr. Van Horne, Mr. Drea. 7723

Fund-raising, Mr. Roy. 7724

Response to written questions, Mr. Di Santo, Mr. Bradley. 7724

Delta Plating Co. Ltd., Mr. Mackenzie. 7725

Municipal assessments, Mr. Peterson, Mr. Ashe. 7725

Safety of office equipment, Mr. R. F. Johnston. 7737

Consideration of Bill 127, Mr. Wells, Mr. Martel, Mr. Nixon, Mr. McClellan, Mr. T. P. Reid 7740

Recess. 7754

SPEAKERS IN THIS ISSUE

Ashe, Hon. G. L., Minister of Revenue (Durham West PC)
Bennett, Hon. C. F., Minister of Municipal Affairs and Housing (Ottawa South PC)
Bradley, J. J. (St. Catharines L)
Breagh, M. J. (Oshawa NDP)
Cassidy, M. (Ottawa Centre NDP)
Copps, S. M. (Hamilton Centre L)
Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
Cureatz, S. L., Deputy Speaker and Chairman (Durham East PC)
Di Santo, O. (Downsview NDP)
Drea, Hon. F., Minister of Community and Social Services (Scarborough Centre PC)
Eaton, Hon. R. G., Minister without Portfolio (Middlesex PC)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
Elston, M. J. (Huron-Bruce L)
Epp, H. A. (Waterloo North L)
Foulds, J. F. (Port Arthur NDP)
Gillies, P. A. (Brantford PC)
Grande, T. (Oakwood NDP)
Hennessy, M. (Fort William PC)
Johnston, R. F. (Scarborough West NDP)
Laughren, F. (Nickel Belt NDP)
Mackenzie, R. W. (Hamilton East NDP)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
McMurtry, Hon. R. R., Attorney General (Eglinton PC)
Miller, Hon. F. S., Treasurer of Ontario and Minister of Economics (Muskoka PC)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Peterson, D. R. (London Centre L)
Philip, E. T. (Etobicoke NDP)
Piché, R. L. (Cochrane North PC)
Pope, Hon. A. W., Minister of Natural Resources (Cochrane South PC)
Rae, R. K. (York South NDP)
Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
Reid, T. P. (Rainy River L-Lab.)
Renwick, J. A. (Riverdale NDP)
Rotenberg, D. (Wilson Heights PC)
Roy, A. J. (Ottawa East L)
Sargent, E. C. (Grey-Bruce L)
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
Turner, Hon. J. M., Speaker (Peterborough PC)
Van Horne, R. G. (London North L)
Walker, Hon. G. W., Minister of Industry and Trade (London South PC)
Watson, A. N. (Chatham-Kent PC)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
Wildman, B. (Algoma NDP)



No. 216

Legislature of Ontario Debates

Official Report (Hansard)



Second Session, Thirty-Second Parliament

Thursday, February 17, 1983

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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LEGISLATURE OF ONTARIO

Thursday, February 17, 1983

The House resumed at 8 p.m.
House in committee of the whole.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT (continued)

Resuming consideration of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

On section 6:

The Deputy Chairman: I would like to draw to the attention of all visitors in the galleries that you are visitors in this House and any disturbances or disruptions will be dealt with by having you removed. So I would ask you to respect that this is a House where we are carrying on the business of the province of Ontario. You are our guests and we hope you will respect the fact that you are.

Mr. McClellan: On a point of order, Mr. Chairman: Before we resume the contribution from my colleague the member for Oakwood (Mr. Grande), I just want to bring to your attention standing order 13, which requires the government House leader to announce the business of the House for the following week on each Thursday during the session.

I bring this to your attention in the hope that before we adjourn this evening the government House leader will set out openly, clearly and honestly what the government intends to do after the adjournment of the House today. None of us wants to have a repetition of the charade we had this afternoon.

The Deputy Chairman: The honourable member has made his point of order.

Hon. Mr. Gregory: Mr. Chairman, as the acting House leader I think I can assure the honourable member that we will be dealing with Bill 127 for the balance of the time.

Mr. Renwick: Mr. Chairman, that is not an adequate answer. The government House leader, with the co-operation of the two House leaders of the other parties, last week agreed to forego a statement with respect to the business of the House. The standing order of the House requires—

The Deputy Chairman: I thank the honourable member, and I am sure the government House leader will take note of the point that has been made.

Mr. Foulds: On a point of order, Mr. Chairman: If I may say so, I think it is extremely rude of you to cut off an honourable member in the middle of his point of order, and I would ask you to forgo that practice.

The Deputy Chairman: The honourable member had not made a formal point of order. He had stood up and started to speak, and I was just clarifying the whole situation to make it clear to all honourable members that I am sure the government House leader will take note of this. I thank you for bringing it to our attention. Now I call upon the member for Oakwood.

Mr. Grande: Mr. Chairman—

Mr. Breaugh: To the point of order, Mr. Chairman—

The Deputy Chairman: Order. To the member for Oshawa, is this the same point of order?

Mr. Breaugh: Mr. Chairman, it is just to clarify in my own mind that you have recognized there is something out of order.

The Deputy Chairman: No I have not. I am saying that before we do adjourn, according to standing orders that have been raised by the member for Bellwoods (Mr. McClellan), the government House leader will make an outline of the coming business in the normal way. I accept the fact that point has been made in a very good way and it is so noted.

Mr. McClellan: You intend to enforce it.

The Deputy Chairman: I am in no position to do anything at this point except to note it, as you have done. There is nothing out of order.

Mr. Breaugh: But you are saying the chair anticipates that prior to adjournment this evening—

The Deputy Chairman: No. The chair only recognizes that a point of order has been made. It is a valid point of order and it has been noted.

Mr. Nixon: What is valid about it? Nothing is out of order?

The Deputy Chairman: He just made a point.

At this point there is nothing out of order.

Interjection.

The Deputy Chairman: Thank you. I would like very much for this House to continue with the debate on Bill 127 on the amendment before the House. I am sure there is more than one person yet to speak.

Mr. Grande: Mr. Chairman, I would like to continue with the comments that I was making this afternoon. However I would like to note, sir, so there will be no problems this evening between yourself and myself, I am speaking to the amendment to subsection 6(2), which talks about the surpluses a particular area board may have.

As I read that clause, if the government intends that a board of education in Metropolitan Toronto should maintain all the surplus it generates at the end of a fiscal or school year, it means it is saying to them, "Here is an incentive for you to cut back programs for children so that you will be able to have a larger surplus at the end of the year." Therefore I intend to speak on concerns and needs of children in the educational system in Metropolitan Toronto.

I want you to know at the beginning the context in which I am speaking, Mr. Chairman, so we will not get into problems over whether or not I am addressing myself to the section. The reason for this incentive to cut back through this clause and for the whole of Bill 127 is that the provincial government has been reducing steadily over the years, ever since 1975 as a matter of fact, the legislative grants that Metropolitan Toronto would normally get.

In 1975 the government was supporting education in the province to the extent that it was providing 61 per cent of the moneys to run the schools. In 1981-82, it provided only 50.08 per cent. This 11 per cent decrease over seven or eight years translates into \$200 million.

There was a time when the government was providing 30 per cent to 33 per cent of the funding to Metropolitan Toronto. In other words, 33 cents of every dollar spent in education in Metropolitan Toronto was passed on by the provincial government in legislative grants. In 1982, only 15 cents of the dollar is passed on by the provincial government to Metropolitan Toronto. If projections for this coming year are correct—I do not know if they are—people with financial knowledge tell me that perhaps the figure will decrease even more—from 15 cents on the dollar to somewhere between 12.5 cents and 13.5 cents on the dollar.

In other words, this government is, at a rather fast pace, decreasing the amounts of money the boards of education across Metropolitan Toronto need in order for them to deliver the educational services our students need in Metropolitan Toronto.

8:10 p.m.

As if the decrease in legislative grants was not enough, the people within the ministry—the mandarins as they are sometimes called—are concocting an industrial-commercial assessment pooling technique, by which the Ministry of Education changes figures for the school boards all over the place. They will not know where they stand in relation to industrial-commercial assessment pooling. One figure I saw in October or November of last year was that within a five-year period, \$305 million would be coming out of Metropolitan Toronto through that process. The latest figure is approximately \$90 million will be coming out of Metropolitan Toronto over a five-year period.

The other question of funding, apart from the decrease of funding from the provincial government of course, is who is paying for educational services? The local level continually pays a larger and larger share of funding. Some trustees are put in a very awkward position. Others say, "Thank you very much, Madam Minister, for putting us in that position." Those really concerned about the delivery of educational services to kids—who are seriously concerned about setting up programs to meet the educational needs of children—say, "Where is the money going to come from?" They find they will have to go to the local level more and more to increase the mill rate and increase property tax.

Other trustees who are not so concerned about the establishment and delivery of programs to kids, say: "Fine, we cannot raise taxes. We have to keep the taxes low." So the children's programs are in jeopardy. It not only threatens children's programs, it means teacher firing, it means increased class size, it means closure of schools. That is exactly the direction this government wants to take education in this province.

There is nothing the Minister of Education or anybody in that government has said in the last two years that does not move us quickly down the slope towards destruction of educational services in this province. I would like to ask where the member for St. George (Ms. Fish) is. I would like to ask where the Minister of Health (Mr. Grossman) and the Attorney General (Mr.

McMurtry) are, and the member for High Park-Swansea (Mr. Shymko).

The Deputy Chairman: The member may be straying from the very important subject we are discussing.

Mr. Grande: You are quite right, Mr. Chairman. I am straying from it. But I look across the floor and I find that the people who should be concerned about these matters are not here. Where did they disappear to? Where are they?

The Deputy Chairman: Back to the motion. While I am interrupting, I would just remind the member I have given permission for the lights to be turned up, because some TV crews want to come in, unless someone has a strong objection. I just ask the member for Oakwood to direct his comments to the amendment.

Mr. Grande: Mr. Chairman, I certainly will. That was an aside, just out of pure interest.

I talked earlier in the afternoon about the need for English as a second language programs in Metropolitan Toronto. The Minister of Education (Miss Stephenson) might not realize it, but 60 per cent of the children in Metropolitan Toronto come from neither a French-speaking nor an English-speaking background. In other words English or French is not their mother tongue. The parents and teachers across Metro understand that.

Mr. Rotenberg: Sixty per cent; you must be kidding.

Mr. Grande: Sixty per cent, the majority; Does the member understand that? The majority of the kids in the school system.

Interjections.

The Deputy Chairman: Order. The member for Oakwood is speaking to the amendment.

Mr. Grande: As I was saying, since 60 per cent of the children in Metropolitan Toronto do not have English or French in their backgrounds, it is of utmost importance these children be given the opportunity to learn English and learn it well. Unless they learn English well I am sure the members understand they will not be able to find jobs when they get out of school. Forgetting about the jobs, they will not be able to progress through the school system if they do not have fluency in the English language and do not know how to write and read English well.

Through this clause of Bill 127, boards of education across Metropolitan Toronto are given an incentive to cut back. Do the members know the Metropolitan Toronto School Board definition of an immigrant child in need of

English as a second language? If the child has been in this country for two years, he needs that course or that class. Once the child has been in Toronto or in Canada for two years plus one day, he can be dropped from those classes because he should do all right in the school system.

The real world does not work that way. The real world does not work according to formula. In the real world, we have children who were born in this country, who were born in Metropolitan Toronto and yet, when they go to school, cannot speak the language of the school. I do not mean they do not speak English, but they do not speak the English necessary to function in a school environment. The language of the school is missing. As a result of that, these children do not learn how to read and write as well as other children. The question is, why is that taking place?

I related earlier in the day, my experience as an immigrant child who came to this country and how I learned English by sitting in the back of a classroom, not understanding anything that was going on. I do not want to look back to 1950-55. Today we have techniques and we know ways to do it. Our teaching profession has learned how those children can best be taught. We have to have the resources to be able to set up the programs for those children to learn by. Bill 127 says, "Cut back on that." It is a crime, Mr. Chairman, and I am sure you will agree.

Mr. Rotenberg: The bill does not say that.

Mr. Kerrio: It's all Bette's fault.

The Deputy Chairman: Order.

Mr. Grande: Mr. Chairman, the member for Wilson Heights (Mr. Rotenberg) challenges me that the bill does not say that. Let me explain to the member what the bill does say.

The Deputy Chairman: Do not be distracted by the interruptions. Just stick to the amendment.

Mr. Grande: Mr. Chairman, I am trying to be helpful to the member—

The Deputy Chairman: If he does not understand what has been going on, don't you try to—

Interjections.

8:20 p.m.

The Deputy Chairman: Order, order.

Mr. Grande: Mr. Chairman, I am not addressing myself to the member for Wilson Heights. I am addressing myself to you. If the member wants to listen to what I have to say, fine. If not

he can plug his ears and be as ignorant about these matters as—

Mr. Rotenberg: As you are.

Mr. Grande: —as possible.

Interjections.

The Deputy Chairman: Order.

Mr. Grande: On the first day we sat, a government member on the standing committee for general government said: "One could say that the public should have a big show at the hearings. Get all the circus, and the ponies and the dogs around to make sure there is public input."

He was referring to input on this bill. That gentleman stayed as far away from the committee as he possibly could. Every once in a while though, at the door of the committee as we were poring over—

The Deputy Chairman: Again, the member is allowing himself to have been distracted. Speak to the amendment.

Mr. Grande: I am not distracted at all.

The Deputy Chairman: It is not germane to the motion. You were doing so well until those interruptions.

Mr. Grande: The fault lies there. As an aside, it will only take 30 seconds.

The Deputy Chairman: No asides; please just speak to the motion.

Mr. Breagh: Just to add a little flavour.

The Deputy Chairman: Never mind flavour.

Mr. Grande: I talked about English as a second language programs and how this law will cut back on those programs. I talked a little about French programs in our schools in Metropolitan Toronto—core French or immersion French—and how these particular programs are going to be affected by this legislation. They are going to be cut back. Since the minister is here—she was listening this afternoon for just a brief period, but otherwise she has been here diligently hearing—hearing but not listening—

Mr. Martel: He is paying you a compliment, Bette.

Hon. Miss Stephenson: Thank you for your condescension; just delightful.

Mr. Martel: You are so gracious, Bette.

Mr. McClellan: Are you in a bad mood?

Mr. Breagh: I thought we were under attack here.

The Deputy Chairman: You are not. The

member for Oakwood is going to make a point and we wait for it.

Mr. Grande: I am looking at the brief submitted to the Ontario government hearings on Bill 127 by a lady by the name of Louise Thomas, who is a representative of Canadian Parents for French in Metropolitan Toronto. She said to us in committee: "Where is the money for French services?" We cannot tell. We have no accountability regarding where the federal government money goes or of the amount of money the province passes on to Metro. There is no accountability at the Metro level about where the money goes to the area boards. So there is no direct accountability in terms of funding and delivery of service.

I believe it is up to the Minister of Education to make sure this organization of concerned parents who want their children to have French in the school should have an accounting of the funding. They go to Metro, and Metro does not have the figures. They go to the minister and she does not give them the figures.

But the federal government does. Therefore they produced a list, which I am going to put on the record, and I want the minister to make sure she shoots it down but gives us some information anyway. East York consistently has had—in 1978, 1979, 1980, 1981 and 1982, according to these figures—an overpayment of funds when compared with the delivery of services to those children. Why does North York get money from Metro for French when they do not have the services? That is the question the parents want answered. I think the Minister of Education should have an answer and should make it clear and should be accountable for the money spent.

They also have all the other area boards and how accountable the funding is for the other area boards. I am not going to mention all the area boards and the amounts of money. The document is here. I think anybody who wants it can take a look at it. But certainly the Minister of Education of this province should be—

Mr. Nixon: The lights make it a lot better.

Mr. Breagh: Do you feel born again, George?

Mr. Grande: Boy, how they distract.

The Deputy Chairman: Order. The member for Oakwood.

Mr. Grande: Thank you very much, Mr. Chairman. I thought members were getting distracted too much.

The Deputy Chairman: Just more light for his speech.

Mr. Grande: Too much light on the scene.

I repeat: I want the Minister of Education to give us a detailed account of the funding for core French and for French immersion starting from the federal level of government right down to the boards and to the services that are delivered to kids. Until that happens none of the people in Metropolitan Toronto who are interested in this area will know whether the delivery of services is consistent with the funding those boards get. I think it is only fair the government should be providing these figures.

The last time I asked for figures the Minister of Education said, "Why don't you ask those figures of Metro?" So I asked Metro, and Metro said: "Put it in writing. Tell us exactly what you want and we will give it to you." I said to the minister: "Look, I do not have to go through Metro. You are the one responsible for education in this province. You are the one who is accountable to me, to the people of the borough of York and to the people of Ontario for education in this province. Get the information from Metro and pass it on to me."

It took four weeks to get very simple information out of Metro. The Metro board is not an easy body to deal with at all. When it comes to parents trying to go before the Metro board, trying to make their case about children's needs, it is just a stone wall. That Metro board will not hear depositions, will not hear people.

The reasons are obvious. The Metro board is not accountable to anybody. The Metro board can say to those parents: "You are from Toronto" or "You are from East York" or "You are from the borough of York. I do not happen to come from that area, so I do not have to be accountable to you."

The whole thrust of this section of the bill has to do with giving the Metropolitan Toronto School Board decision-making powers and taking them away from the local level which, in essence, is the level that understands the educational needs of kids. The government has to understand what it is doing.

8:30 p.m.

I go on to the area of school closures. This section deals with a school board trying to save money so that at the end of the year it can keep the money. One of the things the parents, teachers and everybody who has seen or heard anything about this bill feel, is that the local community school is going to be closed because,

according to some magic formula devised by the Ministry of Education, there are not enough kids in that school.

As enrolment declines, the school has to be closed. Ministry reports have pegged the magic number at 200. When a school has an enrolment of fewer than 200 children, that school is slated for what is called a review, with the intention to close it down the line.

In terms of Metropolitan Toronto, East York has four schools with populations of fewer than 200 kids, Etobicoke has 22 such schools, North York has 34 such schools, Scarborough has 21 such schools; and the borough of York, the area I represent, has four schools with fewer than 200 in population. I ask the member for Wilson Heights (Mr. Rotenberg) what does the closure of schools have to do with this bill?

Mr. Rotenberg: Nothing. This bill has nothing to do with it and you know it.

Mr. Grande: Mr. Chairman, I am not paying any attention to the member.

Mr. Rotenberg: You asked me the question.

Mr. Grande: That is right.

Mr. Rotenberg: You did not get the answer you wanted. You don't want the truth. If you don't want the truth, that is okay with me, but you know it has nothing to do with Bill 127.

Mr. Grande: According to Bill 127, a master agreement is signed which will determine the number of teachers the Metro school board will pass on to the area board. Since the imperative of the provincial government is to cut back, the school board can keep all its surplus.

Does one not think it would be in the best interests of a school board such as Etobicoke, which has 22 schools below 200, to close them down? Does one not think it would be in the best interests of North York, with 34 schools below 200, to close them down because it would keep the money?

That is where the incentive to close schools is. The other incentive is that the number of teachers is reduced because of the Metro formula and the allocation to each area board. Class sizes will increase and therefore, if there are 40 kids in a class-room, of course—

The Deputy Chairman: The level of noise is rising so it is becoming more difficult for me to hear the member. Will honourable members be so kind as to reduce their sounds so that the member for Oakwood can continue without interruption. There are other members who want to speak but the member for Oakwood has the floor.

Mr. Grande: Let me say to the members who are in the Legislature at this time—

Mr. Havrot: The member has a one-track mind anyway.

The Deputy Chairman: Order. I will say to the member for Oakwood that I am trying to get order in this place so he can carry on.

Mr. Grande: Let me say to the members who are in the Legislature at this time that the chatting they do does not bother me, or deter me, from saying the things I feel are important.

Mr. Breaugh: Wait a minute. The member for Timiskaming (Mr. Havrot) spoke.

Mr. Havrot: I made some sense, too.

Mr. Breaugh: About as much as you ever do.

Mr. Havrot: That's more than you can do. Speak for hours and say nothing.

The Deputy Chairman: Order.

Mr. Havrot: Leave me alone. I am doing my income tax.

Mr. Kerr: He is figuring out his losses.

The Deputy Chairman: Order. Will the member for Oakwood please speak a little louder and a little faster while I try to keep these other members under control.

Mr. Grande: Mr. Chairman, I cannot do anything about the speed of my speech. Some members speak slower than others. Others are able to holler across the floor.

Probably some members have seen the movie about Mahatma Gandhi lately, and heard what that distinguished man said. He said: "It is as much our duty to co-operate with good as it is to be unco-operative with evil." So let me put it to the members this way.

Whether the members in this Legislature want to hear what I have to say or not I am of the strong opinion that this bill is evil to the educational process in Metropolitan Toronto. Therefore, I do get up and speak, and continue speaking against this bill. When the process is over, if the government thinks that the debates and the discussions that have gone on here on Bill 127 and other educational matters across this province are going to come to an end, the government is sadly mistaken because this bill, singlehandedly, has made education an issue in Ontario, and we will go on talking about educational matters for a long time to come.

On the closure of schools, I want the members who are listening to understand that this particular clause is an incentive for area boards to close schools. It is an incentive for area boards to increase class sizes so that they can

then cut back on teachers. That does not do justice to educational services to kids.

I want to talk about another matter that is very much related, a matter that I have raised in this Legislature for a long time, that is the inner-city child. It is a child who lives in Metropolitan Toronto; I guess he could live anywhere in Metropolitan Toronto, not in any particular area or borough but it so happens that the city of Toronto has more of that than any other area at this time. However, there is no problem, no question whatsoever that the inner-city child lives across Metropolitan Toronto. He lives or goes to every school in Metropolitan Toronto.

This child is a child who may get up in the morning and not have breakfast but just go to school. This child is a child who just may not have a warm coat to wear to school in the winter. These may be children whose physical needs are not being met because of a lack of income or because they come from families forced to live in poverty in Metropolitan Toronto. These children come to school and are expected to learn.

8:40 p.m.

May I say to the Minister of Education and to anybody else, other needs have to be met before these children can learn. Either the school system meets them or the government has to look after those needs. Through the school system, the government does or does not look after those needs.

We have a larger and larger number of children in the Metropolitan Toronto area who need a hot lunch during the day and who need a breakfast in the morning. If people around here think I am exaggerating, perhaps they should go to some of those schools and see for themselves.

The programs for those children are going to be cut back. When a board of education that intends to do something about these needs does not have the financial wherewithal to do anything about them, those are the first kids who are going to be abandoned. Because their parents do not have any clout, because their parents do not go to the school screaming, because their parents do not go to see the principal or to see other people and talk to them, those kids are the first ones to be at a loss. Those are the—

Mr. Rotenberg: Have you no faith in elected trustees?

Mr. Grande: I have a lot of faith in elected school trustees. My friend has no faith in elected

school trustees because he has to switch the power over to unelected and unresponsive people for the local level.

Mr. Rotenberg: Give them credit for keeping those programs going.

Mr. Barlow: Who is not elected over here?

Mr. Kerr: What does Bill 127 have to do with that?

Mr. Breaugh: Listen, George, he is explaining it to you.

Interjections.

Mr. Chairman: Continue with the amendment.

Mr. Cassidy: Mr. Chairman, on a point of order: I would like to ask you a question you might be able to elucidate for me. The barracking about the member for Oakwood's speech is coming from the member for Burlington South (Mr. Kerr) and the member for Timiskaming (Mr. Havrot), but I do not see the member for Eglinton (Mr. McMurtry) here. I do not see the member for St. Andrew-St. Patrick (Mr. Grosman) nor the member for St. George (Ms. Fish). I do not see the member for—

Mr. Chairman: Order. I have bad news for the member for Ottawa Centre. You are out of order and I ask the member for Oakwood to continue.

Mr. Rotenberg: Mr. Chairman, on a point of order: I would like to point out the leader of the third party is from Metro Toronto. The member for Beaches-Woodbine (Ms. Bryden) and some other members from Metropolitan Toronto over there have—

Mr. Chairman: Order. Cut the mike. The member for Oakwood is reminding us all about this amendment to section 6.

Mr. Grande: The question was, what does this have to do with Bill 127? Social class has a lot to do with Bill 127. The children who come from poor families are the ones who do not get a fair shake in the educational system.

When one starves an educational system, those are the first kids who are not going to get the needed service in the system. That is why—

Mr. Chairman: As a result, with this amendment—I would like the member to work it in.

Mr. Grande: A little while back, in 1980, the Minister of Education was quoted in Hansard as saying in the estimates of the Ministry of Education that, "What we are attempting to do is to carry out the policy of equal opportunity

for all children in Ontario and that is an overriding policy which I will defend as long as I have breath."

Regarding equality of educational opportunity, since May of last year the Minister of Education has had a report entitled *The Pursuit of Equality*, evaluating and monitoring accessibility to post-secondary education in Ontario. I am not going to talk about post-secondary education, even though I could. Bill 127 will definitely affect the aspirations of those kids to go to university or community colleges. This report, written by Paul Anisef, the principal investigator, together with other people, was done under a grant from the Ministry of Colleges and Universities. The advice of Dr. Anisef in recommendation 1 was:

"The government should implement compensatory education programs at the provincial level. These programs would be designed to provide economically disadvantaged children with a head start at the prekindergarten level, extending into the elementary and secondary levels if necessary."

I do not know whether I agree totally with this kind of analysis. However, Bill 127 will cut funding to the area boards. The cutting of funding and resources to area boards will force school boards not to establish these compensatory education programs. I am sure the minister is aware that of all her education budget, only \$45 million was devoted to compensatory education across this province last year.

Mr. Rotenberg: What does that have to do with Bill 127?

Mr. Grande: I will tell the member what it has to do with Bill 127 again.

Mr. Chairman: No, the amendment, please.

Mr. Breaugh: He is tutoring the member for Wilson Heights. Somebody has to do it.

Mr. Chairman: He cannot answer back. It is not question period.

Mr. Grande: For some people in this Legislature who do not understand how a child develops linguistically, socially and in terms of mental processes, that question is a valid one.

Mr. Rotenberg: I understand much better than the member for Oakwood does.

Mr. Grande: The member does not understand that without compensatory forms of education these children will not be able to develop either socially or linguistically. We are cutting off equality of educational opportunity in this

province. The government is saying, "The children of the poor will remain poor," because those kids will not be able to get a proper education.

Mr. Rotenberg: I have said four times it has nothing to do with the bill.

Mr. Chairman: Will the member for Wilson Heights come to order?

Mr. Rotenberg: The member is playing to the galleries. Why does he not speak to the bill and the amendment? If he would tell the truth we would not have any trouble, would we?

Mr. Martel: If he would tell what?

Mr. Rotenberg: The truth. If he told the truth—

Mr. McClellan: Mr. Chairman—

Mr. Chairman: Yes, I heard him.

8:50 p.m.

Mr. McClellan: Name the member or tell him to be quiet during the debate after he has withdrawn that remark.

Mr. Chairman: The member for Wilson Heights, you have made life very difficult for me. I think it would be most appropriate if you withdrew the last comment.

Mr. Rotenberg: In no way did I say he was misleading the House, nor did I say he was not telling the truth. I said, "If he did tell the truth," and I do not think he is telling the whole truth. That is not unparliamentary language.

Mr. Chairman: The member for Wilson Heights, I think we all have a flavour of what your real meaning is.

Mr. Rotenberg: If it is not parliamentary to indicate that a member is not telling the whole truth, then I withdraw it.

Mr. Chairman: Fine.

Mr. Grande: Rarely do I bring American research into this Legislature. I think the research we do here should win the day. Therefore, that is why I am talking about Paul Anisef. This gentleman is at the Ontario Institute for Studies in Education and these are the recommendations that he makes to the Minister of Education. He says we cannot have equality of educational opportunity in this province until the resources are spent and funding is appropriate to establish good programs in the early years of children's education. If one does not have those kind of programs in the early years, no matter what on earth one does, one will end up spending a pile of money in later years, and this course of action would be a better one.

In the United States, approximately \$3.5 billion is spent on a yearly basis in terms of compensatory education. The minister says they are wrong, that money should not be spent. We do not want to spend that kind of money in compensatory education. By the way, there are many different kinds of compensatory education programs. For those children who have participated, those programs do indeed make a difference to the development of that child.

I sometimes feel that the Minister of Education has all this research. Is the Die Cast, by Paul Anisef again. The research done on who goes to the University of Toronto, by John Buttricks. All these people say there is a structural inequality of social class. Once one begins to address that problem, then one understands why financial and other kinds of resources are necessary in order to do the work necessary for those kids. This government perhaps does not subscribe to that. It wants to leave those kids where they are and perpetuate the cycle of poverty.

Mr. Chairman: That is why we have the amendment before us. I am just helping out.

Mr. Martel: Now he is getting closer.

Hon. Miss Stephenson: I have read it all.

Mr. Chairman: The member for Oakwood has the floor and not the member for Sudbury East (Mr. Martel) or the Minister of Education.

Mr. Grande: Mr. Chairman, I want to spend the next few minutes on special education. Now that the Minister of Education has Bill 82 in place and has developed expectations across the province, the money is not there to bring them about.

The Minister of Education should know that these particular boards who have said, "Yes, we will support you on Bill 127," have waiting lists galore of children who need special education services.

In the presentations before the standing committee on general government, there was one by a fellow named Michael Kinani, I believe, who pointed out that in Etobicoke there are 300 to 400 children who are on waiting lists for special education services and special education programs. The brief submitted by Intercomm Parents of North York talked about 7,000 children in North York who need special education programs.

East York board said in committee: "Look, we really do not need any more money to look after our needs. We may need resources, some kind of resources, but not necessarily money." I do not know what kind of resources they were

talking about, frankly. That particular board, which does not need extra money, in its services and programs for educating exceptional pupils, talked about—I want the minister to listen, because I want the minister to do something about these matters—

Hon. Miss Stephenson: I have read it all.

Mr. Grande: She has read it all; good. What is she doing about it? Does she understand that this particular board was saying they have no waiting lists for special education kids in their board? Does she understand their services and program for educating exceptional children, the activity plan and the costing plan that they supplied to the minister as of May of last year? They say on page 62, “Special education program, behavioural, self-contained: presently there are enough children on waiting lists for behavioural classes to establish immediately two self-contained classes at the primary junior level.” They said the total cost for that would be \$58,000.

“Special education programs, specific learning disability:—“on page 63; “—presently there are enough students on waiting lists for specific learning disability classroom to establish four new classes—one at the primary level, two at the junior level and one at the intermediate level.” They need \$117,000 to establish those classes.

Where is the Minister of Consumer and Commercial Relations (Mr. Elgie)? Why is he not doing anything to—

Mr. Chairman: Before supper, we got on to that topic and I called the member to order and said it was not on the amendment, and it is not.

Mr. Grande: Mr. Chairman, I recall that after I spoke about the Minister for Consumer and Commercial Relations he did appear in the Legislature and then disappeared again. I am sure if I talk to him a little while longer, and if the chairman permits me to, he will come back.

Mr. Chairman: I will not permit you.

Mr. Grande: The point is that while the Minister of Education and this government are saying Bill 127 is needed for equality of educational opportunity—that is the phrase she uses all the time—none the less, in East York there are children on the waiting list for special education services, and East York supports Bill 127. They say they support Bill 127 because: “Hurray; we will keep our surplus and we will make a bigger and bigger surplus if we can keep it here in East York, while special education kids go unattended.”

It is a shame, and this government should be thoroughly disgusted and ashamed of itself for having brought in this bill and for contemplating this bill.

9 p.m.

I will enter the debate on this amendment again. I just want to give other colleagues of mine the opportunity to express their understanding of this bill, the opportunity to express the needs and the wishes of the parents, and the needs and wishes of children in the education system in Metropolitan Toronto.

In summary, if the government moves this section and wins, it will win only because it has a majority in this House. But even though they will win it, they know it is wrong. They know this amendment is there solely for the purpose of those boards of education that want to cut back on programs to kids so that those boards can keep this money within their confines.

There is no other reason this section is in here, because if there were another reason the minister would never have agreed in committee to change this section and accept my amendment to it. But once the minister reported back to John Tolton and to Charlie Brown, they said to her: “Bette, you had better get this clause back. Otherwise there is not going to be any support for this bill.”

Mr. Chairman: No, they said “honourable minister.”

Mr. Grande: The minister is obeying them, but in the process she is destroying services to children and she is destroying an education system in Metropolitan Toronto.

Mr. Sweeney: Mr. Chairman, we are dealing with that section of the legislation which specifically speaks to the way in which surpluses will be dealt with. My remarks are also going to touch briefly on the fact that deficits, which is the next section, must be considered in the same vein. It is really all part of the same package.

I want to speak on this particular section because it presents such a contradiction. It presents a contradiction in what I have always thought I understood to be the purpose of this government and of this ministry in setting up the Metro board. It presents even an internal contradiction in the legislation itself, and I will touch on that.

We have to understand how this section of the bill affects the whole issue we are talking about. Why did the government of Ontario arrange to set up the Metropolitan Toronto School Board? It was because they believed, and they have

continued to say they believe, they wanted a broad base to meet the needs of all the children in Metro, in the city of Toronto, in the city of North York and in the other boroughs.

What does that mean? It means a recognition of the fact that we cannot take any one of those boards in isolation. We do not want to deal with them in a petty, parochial way; rather, we want to consider the needs of the entire area.

The former way of dealing with surpluses and deficits did just that. What it said was that from time to time, from year to year, different parts of Metro had different needs. Sometimes it was the downtown part of the city of Toronto; sometimes the quickly growing portions of North York or sometimes—as has been expressed by two or three other people before—it is an area in one of the other boroughs with particular problems, and that was recognized. Therefore, we had a common pot. The understanding was—and I think very effectively so—that from time to time some of these boards would generate surpluses, some of them would generate deficits; but if it were all put into the common pot, as the need changed from year to year we could look after those.

Those needs did change from year to year. Since 1967, for example, the city of North York has had a deficit five times, the city of Toronto has had a deficit four times, York borough has had one three times and Scarborough twice. The range across this whole Metro area has indicated those changing needs. They have all benefited at one time or another in having their needs met from the common pot that we saw as Metro. That made sense. It went along with the whole purpose of setting up the Metro board and yet now we are faced with this legislation.

What is the contradiction I talked about? The fact that this particular section in the legislation is totally and completely contrary to the principle I just described. What does it say? It says: "Oh no, we are not going to consider the wide range of Metro. We not going to consider the fact that from time to time different groups of students in different parts of the Metro area are going to have different needs."

Like the broad community spirit that we have in this area, those who had more than they needed would help those who had less than they needed. That is not what this says. This says, "Beggar thy neighbour." Clearly it is narrow, petty parochialism with respect to the needs of children in this area, parents of those children and the boards of education that are trying to meet the needs of those children. This says to

each and every board of education: "If you have a deficit, you look after it. If you have a surplus, your taxpayers are going to benefit from it next year. What about some other board of education next to you—north, east or west of you? What if they have a need this year that they cannot meet? Tough luck, buddy. We are not concerned about that." That is the contradiction here.

We have to ask ourselves, why would a government and a ministry set up an educational organization structure that was meeting needs very effectively? It was not neat and tidy and not always administratively easy, but it did meet the needs. One of the things many of us in this House have long ago learned is that when one is talking about human needs, including educational needs, they are not always administratively efficient. They are not always neat and tidy, but they have to be met. They have to be met in human terms.

I would strongly suggest that is what we were doing and should continue to do, but that is not what this legislation will do. That is why I for one am opposing it and that is why my colleagues in this party are opposing it. That is why we want this particular section withdrawn.

[Interruption]

The Deputy Chairman: Order, order. There will be no further warnings to the gallery. At the next sign of that the public galleries will be cleared.

Mr. Roy: Easy, Mr. Chairman, easy. It was spontaneous.

The Deputy Chairman: There is no need for it and I ask for no support of that kind of action at all and I have made this ruling. I have given the word before and I give this word now. The next time, this hammer comes down and the galleries will be cleared. I am sorry about the interruption to the member for Kitchener-Wilmot.

9:10 p.m.

Mr. Sweeney: Mr. Chairman, I want to take the analysis just a couple of steps further, and I will admit at this point that what I am going to suggest is not likely to happen. Nevertheless, I want the Chairman and my colleagues on the government side of the House to understand why we are opposed to this. What kind of thinking goes behind it?

If we say that in this broad Metro area we are not going to have a common pot and we are not going to meet needs as they arise from time to time in various areas, then let us carry that thinking a little bit further. We know, for

example, that within the city of Toronto itself there are different parts that have needs greater than others. We know there are different parts of the city of Toronto where the socioeconomic grouping is such that different kinds of needs have to be met.

So what is the logical consequence of this kind of thinking? Are we one day going to reach the point—and the more I think of it, the more I think maybe it is not so silly after all—where we say that if a certain section of Toronto generates deficits because it is meeting the needs of the children in that area, we are going to put extra taxes on the people living in that area, and if other parts of the city of Toronto, because they do not have the same kinds of needs, generate surpluses with respect to the actual cost of meeting the educational needs of their children, we are going to reduce the taxes of that area?

A silly analogy? In practical terms, maybe, but in terms of the principle of what we are talking about here, no. This is exactly what we are saying. It is this kind of thinking that concerns us every bit as much as this legislation, because if the government of Ontario thinks that way and we do not stand up and object to that kind of thinking, then God only knows what it is going to do next.

It has been suggested that we are concerned unnecessarily. It is all so clear what the minister wants to do, and I assume what the government wants to do, otherwise this bill would not be here. But is it really so clear?

Let me point something out to the Chairman. On May 28, when this bill received first reading before this Legislature, this section read this way with respect to the allocation of those surpluses. It said they will “reduce the apportionment . . . to the area municipality by a portion of the surplus that . . . is not less than”—please hear those words—“the amount of the surplus that was raised” by that local municipality. That was May 28.

What happens next? We go into committee. On June 28 we talk about this, and the minister says: “That has implications, maybe, that we really do not want. If it says ‘not less than,’ that means in fact that it could be more than.” That is logical. It could be more than. You could assess to a municipality a reduction in apportionment “more than.”

We do not want to do that. So what do we say next? In the June 28 reading of the bill all the other words are the same, but it changes the “not less than” to “is equal to the portion of the surplus.” That seems a little fairer. Whatever

they happen to generate, they have to pay back or get back. So we have gone from “is less than” to “is equal to.” Finally, we have solved the problem.

No, not quite; because on November 16 the Minister of Education introduced in this Legislature another amendment. You know what it says this time? Those same words, “an amount that does not exceed the amount of the surplus.”

Wait a minute. Let us follow that through. The first thing the minister asked us to accept was an amount that was not less than. I do not like that. Then she comes along and says, “No, we will change that to an amount equal to.” I do not like that one either. Now she has changed it to an amount that does not exceed, or that is greater than.

Mr. Nixon: There is not much left to try.

Mr. Sweeney: As my honourable colleague said, what other option is left? It is either less than, or equal to, or greater than. We have had all of them. The same minister has brought all three amendments and asked us to support them.

We did not support the first or the second one; and I will say right now we are not going to support the third one, because she can change the wording and tell us she is giving more, less or the same, but it all means the same.

Mr. Bradley: If we wait one more month maybe they will change it back again.

Mr. Sweeney: Yes, one of the reasons we want to talk about this is that we figure if we wait long enough the minister will have another version. I cannot quite figure out what it will be, but I think it is almost worth our time, effort and energy just to wait and see what her next version is going to be.

Mr. Chairman, you know as well as I do there is a ferment among many parents with respect to education in this province. There are many parents, not just in the Metropolitan Toronto area, not just in the city of Toronto, but across Ontario who are very concerned that the special, unique needs of their children are not being met by this province’s public school system.

I am not laying that on any single board and that is why I want to specify that it is true across Ontario. Those parents are concerned for a number of reasons. They are concerned for academic, cultural, linguistic, religious and moral reasons. All across this province we have groups of parents who have stated loudly and clearly: “We are concerned. We are not satisfied. We want an alternative.”

How has that alternative been expressed? It has been expressed in two ways. First, a number of school boards in this province—the city of Toronto has been one in the forefront—have tried within their own jurisdictions to set up alternative forms of education; yes, even to set up alternative schools in an attempt, albeit in a small way but nevertheless in an honest attempt, to meet those different kinds of needs. They still have a long way to go but at least an attempt was made. That is one way.

The other way is that a number of parents have banded together and set up their own alternative school totally at their own expense. There is not a member in this Legislature who does not know this particular pattern has grown very significantly over the last eight to nine years. What does it tell us? Surely it tells us there is a need to provide for differences. There is a need to meet the expectations of parents in different ways.

I had the opportunity on Monday and Tuesday of this week, along with colleagues from the government party and the New Democratic Party, to meet with a group of people in Mississauga and to look at this whole question. We were gratified and pleased that among those who joined us was the current chairman of the Toronto Board of Education. We discussed this whole question. That chairman made it very clear to us that she and her board wanted to do far more than they were able to do now to meet those different kinds of needs.

9:20 p.m.

It was also notable at the conference that the majority of people, including those who at present are operating alternative and independent schools, stated clearly that they would much prefer, if they could, to operate them with the co-operation of the local public board of education. That was a rare sense of commonality. Here was the chairman of, I believe, the largest public school board in Ontario saying, "We want to meet your needs." Here were a group of parents who, for any number of reasons, have gone away from the public school and set up their own alternative schools, saying, "We would prefer to work with you."

Yet what are we doing? What are we doing in this Legislature if we allow this legislation to pass? We are saying, "A pox on both of you." That is how much respect we really have for the wishes and the expectations of those parents when we mouth, through other ministries of this government, that the family comes first, the

parent is the first educator and the parent has the right to decide the needs of his or her child.

We say that through one ministry of this government, and the minister knows which one I am referring to. On the other hand, we bring in this kind of legislation that makes it impossible for that to happen. We say, very clearly, and this government has said clearly over the years, "We will not provide any financial assistance to those parents who choose to set up their own alternative form of education."

All right. I recognize that is the political and philosophical position of the government. It has the right to hold that position. At the same time, what it is saying by this to public school boards, such as the Toronto Board of Education, that want to meet those special kinds of needs and are willing to work with those kinds of parents, is, "You shall not do it." I do not know what the legal term is. My colleague the member for Ottawa East (Mr. Roy) may be able to tell me, but I think it is called double jeopardy.

What the government is saying to the parents of this province is: "If you keep your kids in the public school and try to meet their special needs we are going to interfere with that. If you pull them out of the public school and try to meet them that way, do not expect a penny from us." Is that not just great? Does that not make the parents of the kids of this province feel just great? Should we be surprised, my colleagues and friends in this Legislature? No, I do not think so, because that is the Tory way. The Tory way is to level. The Tory way is to say that everybody shall be treated the same.

That is the great equality principle of the governing party of Ontario. That is exactly what it is doing here, so why should we be surprised? The government practices what it preaches—I will give it credit for that—not that it helps very much, but at least it is consistent with the political philosophy of this party.

We know there are many parents outside the metropolitan area who are concerned about this legislation almost as much, and in some cases perhaps just as much, as the parents within Metropolitan Toronto and within the city of Toronto. The minister seems to be at a loss to understand why. She keeps saying over and over again: "It does not affect anyone else or anywhere except Metropolitan Toronto. Why are parents in Kitchener, Ottawa, Windsor, London, North Bay, Sudbury, St. Catharines, concerned about this? I am not talking to them." I will tell her why.

Interjection.

Mr. Sweeney: Darned right they are. Did the minister see the number of petitions we presented in this House? Did she see the petitions coming from every single member in these benches? Darned right they are concerned. They are concerned because they see through the minister's veil. They see what she is really trying to do with this legislation. They see what she is really saying with this legislation. They see she is saying: "We are not going to pay attention to those special needs. We are going to level everybody down. Everybody is going to be treated the same, no matter what their needs are." That is the principle and the philosophy behind this. That is why the minister is getting objections to it, not just from Metro but also from the rest of this province.

Mr. Riddell: I won a by-election based on the government's imposition of regional government. That is what this is. It is the first step to regional government in education.

The Deputy Chairman: Order. The honourable member is speaking to the motion.

Mr. Sweeney: The government may also say: "Trust us. We would not do a thing like that to you. Trust us." Let us go back and take a look at the record. In addition to the principle, this also means dollars and cents. That is also what is behind this, the fact that this government has not funded education in this province at the elementary and secondary levels in the way it promised it would.

Back in 1968 and 1969, this government and the Minister of Education of the day made a commitment to the parents, the students, the school boards and the teachers of this province. The commitment was that it would fund 60 per cent of the cost of elementary and secondary education on a provincial average and that the local tax base would fund 40 per cent. That commitment was kept up to 1975. And then what happened? Every single year since then that commitment has dropped, from 61 per cent, to 58 per cent, to 55 per cent, to 53 per cent; and most recently to 51 per cent.

Is it any wonder we have a problem in this province with education? No, it is no wonder. Do we know what the cause of that problem is? Darned right we know, and everyone else outside knows as well. They know the second reason this was brought in is because the government cannot keep that commitment. No, let me put it another way: it will not keep that commitment, and this is the way it is going to partially solve that problem. We have indicated

very clearly why we are opposed to this legislation and why we are opposed to subsection 6(4). It contains the heart and kernel of what it is all about. If the minister is prepared to do that, she is prepared to do anything. That is what we are concerned about.

We are telling the minister right now we are going to oppose this in every way we can. That is why we are here. That is why we are speaking to it. We are concerned about education in this province. We are not concerned about administrative efficiency. We are quite prepared to take education that is not neat and tidy. What we want is education that is human, meets human needs, meets children's needs, and this legislation does not do it.

Mr. Rae: Mr. Chairman, I want to take the minister back to the speech she gave to the St. David Progressive Conservative Association on June 22, 1982. This speech, entitled Bill 127 and Heritage Languages, was published by the Ministry of Education, but was delivered to the St. David Progressive Conservative Association with the note that additional copies of the reprint were available from the communications services of the Ontario Ministry of Education. That is the kind of service we have come to expect from this government—a mix of the partisan with the governmental, which apparently is now par for the course.

9:30 p.m.

I want to take the minister back to that speech, because there are some things she says in it which indicate the total contradiction of what she is doing. It reveals that what is happening here, particularly with this section, is fundamentally a partisan attack on the Toronto Board of Education. It is an attempt by the minister to force the quality of education and educational funding down and to reduce the level to the lowest common denominator. That is the purpose of this bill. That is what the bill is all about.

First of all, the minister says: "Quite simply, Bill 127 is designed to bring the community together, rather than permit it to continue to drift apart." I think the galleries tonight indicate just how well the minister has succeeded in this task. Bill 127 has indeed brought the community together, perhaps in a way that the minister did not quite anticipate, but, nevertheless, she has managed to accomplish what a great many other people have tried to do but failed.

She then goes on to say that she wants to tell the nonpartisan audience that was gathered in the Rosedale Public School to listen to the

minister talk about the quality of education in Toronto—

Hon. Miss Stephenson: They were not all members of the St. David PC Association, I can tell you.

Mr. Rae: Well, it is the Rosedale Public School and St. David Progressive Conservative Association.

Hon. Miss Stephenson: There were a lot of other people there.

Mr. Rae: I do not know what other people were there. I am sure they were there just out of interest.

The minister said: "First, however, let me tell you something about the Metropolitan Toronto School Board. As you know, it was established to distribute financial resources in order to provide all young people in Metro with equal access and opportunity in education."

She said unless the Legislature passes the amendments which have been proposed and which are incorporated in Bill 127, "this is why the Metro and area boards have asked for amendments to the Municipality of Metropolitan Toronto Act, and without these amendments, I believe we might as well wave goodbye to the Metro school board."

There are a great many people here who would far rather wave goodbye to the Metro school board and have real local autonomy in education than have the kind of two-tiered monstrosity, with the worst of both worlds, which the minister is going to be imposing on the citizens of Metro Toronto with Bill 127.

I would rather stand with John Robarts and the position he took in the royal commission on Metro Toronto in 1977. Even the late former Premier recognized that the two-tiered monstrosity had the worst of both worlds, combining the inefficiency and unfairness of a large bureaucracy without any of the democratic accountability that goes to small boards. That is why, in the 1977 report, Premier Robarts called for an end to the Metro system and an increase in local autonomy.

Instead of that this government has done the exact opposite in terms of local autonomy. They have taken away local autonomy with respect to the local levy and local bargaining in this legislation. The one sop they say they have thrown to local autonomy is the sections of the bill we are considering tonight and the amendments we are considering tonight on surpluses and deficits.

I want people to hear exactly what the

minister had to say about surpluses and deficits, and why there was a crisis in Metropolitan Toronto, to get a sense of just how partial is her account of the events of the last 10 years. For example, she said the reason there has to be a major change, the reason the government feels it has to move Bill 127 in order to increase the power of the Metro board, to increase the centralization and the amount of bureaucracy, is that relations between the different boroughs have deteriorated.

She blames that entirely on the Toronto Board of Education. They are the villain in the piece. Why are they the villain in the piece? According to the minister, it is because there is a number of New Democrats who are on the school board. That is the extent of her vision and point of view.

When one cuts out all the malarkey around this bill and takes out all the contradictory justifications that have been made: for example, she says she is in favour of local autonomy, that is why she is getting rid of local bargaining; she says she wants to increase local autonomy, that is why she is getting rid of the local levy. It does not make any sense. Then she says, "We want to increase access and fairness throughout the system." As the member for Kitchener-Wilmot (Mr. Sweeney) quite rightly pointed out, the major contradiction is there. If that is true, then why have this nonsense with respect to surpluses and deficits which set borough against borough and the city of Toronto against other boroughs? That is one of the most divisive things one can stick into this legislation.

The fact of the matter is, as she says, "The reason for this is because in recent years the Toronto Board of Education has discovered a bright side to deficit financing. The way it is worked is that the Toronto board accumulates the deficits and the other boards have collectively picked up the tab."

I thought the minister had a sense of history and a modicum of fairness in terms of her analysis and ability to understand what the history of the last few years in Metro Toronto has been. I want to point out, for example, in 1974 there were four boroughs which ran up a deficit—the boroughs of Etobicoke, North York, Scarborough and York. Did Toronto run up a deficit in 1974? No. Did the government introduce legislation that would have taken away the right to run up local surpluses and deficits? No.

Then we go into 1976: North York and Scarborough that year joined by Toronto; 1977, nobody ran a deficit; 1978, nobody ran a deficit;

1979—look at this—the borough of North York a deficit of more than \$2 million, the borough of York a deficit of \$112,000, the city of Toronto a surplus of \$37,000.

Where was the minister or her predecessor in 1979, marching down into this Legislature and saying, “Come on, it is time for a change. North York has been getting off easy for too long and living high off the hog for too long.” Why did the minister not come in and say there was a political party that had gained control of the North York Board of Education and it was time to bring them to heel? I will tell members why. It was because they were all Tories up there at that time. That is the long and short of it. That is all it comes down to.

In 1980, North York again was the villain, \$869,000, joined I admit by the city of Toronto; in 1981, the city of Toronto had a deficit of \$1.6 million and the borough of York \$1.2 million.

It is completely false for the minister to portray, as she did to the St. David riding association, that there is somehow one villain in the piece which for the last 10 years has been responsible for completely unbalancing surpluses, deficits and relative expenditures in Metropolitan Toronto. It is a completely and totally wrong impression to leave with the listeners at the St. David riding association.

I hope very much she will take the message back the next time she visits the St. David Progressive Conservative Association and clear up that misunderstanding. I know she would not want to misrepresent the full facts to that group of worthy individuals. We certainly do not want to see them wandering the streets of Toronto with false ideas in their heads of any kind whatsoever.

Mr. Breagh: Wending their way down to the park.

Mr. Rae: Wending their way down wherever they may go.

I think it is worth pointing out again, as my colleague the member for Oakwood (Mr. Grande) has pointed out, that we went quite a long way in the committee, as did the Liberal Party, on the question of surpluses and deficits. I and my party are prepared to be consistent. If we believe in local autonomy, greater accountability, a steady phasing out of the Metro school board's bureaucratic, centralizing and inefficient power and its lack of accountability as we do believe it to be, then we are prepared to say fine, there should be some accountability for surpluses and deficits.

9:40 p.m.

That is the kind of amendment moved by my colleague, the member for Oakwood. That is the kind of amendment we thought we had agreement from the government on. We thought it would allow some recognition of surpluses and deficits, but at the same time allow a recognition of the relative contribution in terms of taxes of each of the municipalities to the Metropolitan area.

We thought it would provide some level of fairness, not simply an incentive to cut back, not simply an incentive to be cheap about programs, not simply an incentive to provide less for those children who need more and who are not getting more and who will be getting even less as a result of this government's programs and policies. They will be getting less particularly as a result of Bill 127.

That was accepted originally. In fact, it was incorporated even by the member for Wentworth (Mr. Dean), who was acting as part of what he described as the “dog and pony act.” I do not know what part he thought he was playing in the dog and pony act; I am sure we could all ascribe some particular role to him but I would not want to do that.

From my reading of the committee minutes, as to what was said and what was agreed to, there was some understanding from all parties that people were prepared to compromise and to indicate their understanding and their support for the basic position we were trying to take in that regard. But not even that was recognized by the minister, because she simply does not want to listen. She does not want to give an inch, does not want to budge a centimetre from the direction she is determined to take.

It is not a direction that has anything to do with the quality of education. It is not a direction that has anything to do with fairness in Metropolitan Toronto. It is a direction that has to do with increasing political control, which her department and the bureaucrats at the Metro school board will now be able to exercise over all the children in all of education in Metropolitan Toronto. That is what this bill is all about.

I had occasion, together with the member for Parkdale (Mr. Ruprecht), and have had occasions since then in a number of other ways, to not only visit schools but to talk to teachers and parents and to see what the reality is in terms of programs. All of this question of surplus and deficit has very much to do with one's attitude to program.

I do not think we are out of step with the

majority of people in this province. In fact, if one looks at the Ontario Institute for Studies in Education survey and reads through it very carefully, one will see just how much we are in step with the people of this province.

We do not think teachers should be fired. We do not think funding should be cut. We do not think classes in English as a second language should be cut. We do not think class sizes should be enlarged. We do not think reading clinics should be cut out. But this is exactly what is going to happen as a result of this legislation.

Mr. Chairman: We are speaking to the amendment.

Mr. Rae: As a result of the amendment, Mr. Chairman—

Mr. Chairman: Thank you.

Mr. Rae: — which as I am sure you realize, sir, is very much part of the legislative program of this government.

The minister says: “No, no.”

It is too bad the member for Wilson Heights (Mr. Rotenberg) has gone. Under the circumstances, I am sorry he has gone; in other senses, of course, one would feel slightly differently; but in one sense alone I am sorry he is gone, because I would like him to hear.

The Tories want to have the best of both worlds. They want to be able to bring in a program that is going to strangle funding for education, that is going to put extraordinary pressure on the property tax in many parts of Metro. It is going to have a major impact—I and many others believe, certainly those who are affected—on the rights of local autonomy. In the words of the minister, it is going to have the effect of closing schools. She has said that on the floor of this Legislature, that it is going to have the effect of closing schools.

The Chairman: Never mind that.

Mr. Rae: The Tories do not want to listen to that, Mr. Chairman. They do not want to listen to all the unpleasant things. They believe nothing unpleasant is going to follow from this; they believe we can have the kind of neo-Conservative nonsense that takes away from services and that simply cuts back on services and cuts back on education; but we are not allowed to say that is what they are doing.

In fact, if some body like the Toronto School Board starts talking about it, they say: “Oh, now you are turning this into a political issue.” Good heavens, what a terrible thing for people to do—to turn the underfunding of education into a political issue. What else does it become when

the Minister of Education makes this a political and a partisan issue in terms of—

Mr. Chairman: I would ask the member to try to stay within the realm of the amendment.

Mr. Rae: I would like to return very directly to the amendment. There is the critical background, the backdrop against which this shift by the minister has to be understood in terms of programs and in terms of the completely contradictory approach. She says they are in favour of local autonomy, but they are not because we know the major impact this is going to have is a centralizing one. One has to go beyond Metro to understand why there is this fight between the boroughs and the city of Toronto.

It is being encouraged and played to by the Conservative government. The reason is simply that the level of funding from the province to education in Metropolitan Toronto, as to education throughout the province, has been dwindling in real terms, in relative terms and in absolute terms. That has been pointed out by my colleague the member for Kitchener-Wilmot.

In 1975, the Metropolitan Toronto School Board had gross expenditures of \$593 million, of which provincial grants made up \$197 million, the Metro tax levy made up \$379,933,000, and other \$16 million. Remember that figure, Mr. Chairman, \$197 million. Write it down because it is an important figure.

Mr. Chairman: I have it.

Mr. Rae: Mr. Chairman, I want you to remember the inflationary years that followed. I want you to remember what happened to the price of bread and the price of milk. I want you to remember what happened to the price of services and what happened to salaries. Let us go through and look at them: 1975, 1976, 1977, 1978, 1979, 1980 and 1981. Are you listening, Mr. Chairman?

Mr. Chairman: Yes.

Mr. Rae: We go from provincial grants worth \$197 million in 1975 to provincial grants worth \$194,400,000 in 1981.

Mr. Chairman: Do you mean it has gone down?

Mr. Rae: You have it, Mr. Chairman. You hit it right on the head. You got it right the first time. Go to the front of the class. There is no need for you to take mathematics as a second language, Mr. Chairman; you have done very well.

At the same time, the Metro tax levy rose

from \$379,933,000 to \$752,340,000. Did you get that?

Mr. Chairman: Yes.

Mr. Rae: That is a substantial increase, nearly double. At the same time the provincial grant was going down by over \$2 million, the Metro tax levy was nearly doubling, increasing by nearly \$400 million. That is the background. That is the true history. That is the story. That is the Hamlet of this piece. That is what the play is all about.

This is not an issue simply of setting boroughs against cities and cities against boroughs. This is not simply a question of local surpluses and local deficits. This is a story about a government which has lost a commitment to education and which is setting every local municipality against other local municipalities as they compete for scarce tax dollars. It is a government which has lost its commitment to raising taxes fairly, to spending taxes fairly and to providing quality.

I put those figures into the record because I am convinced one can only understand what Bill 127 is all about if one understands two things. First, this government is not committed, and the record shows it is not committed, to providing the really fair funding that is going to guarantee equality of access. How can the minister give a speech talking about equality of access to education and quality of education and the need to provide for equality for all our children?

How could she say that on the one hand when, on the other hand, the till has been closed? There is no money coming from the province in increasing terms as far as Metropolitan Toronto is concerned over the last six years. How can she say that? She cannot say it. That is what makes the government's position, if I may use the word, so dishonest.

9:50 p.m.

But the other thing that is happening here—and I want simply to repeat it—is that we are now getting the worst of both worlds in all of Metropolitan Toronto. You know, I find it ironic coming from a minister whom I always thought of as having some sort of small-l liberal beliefs in local autonomy, some kind of neo-conservative sense of wanting to give more responsibility to individuals and to small groups of people, somebody whom I always associated—obviously mistakenly—with that sense of wanting to restore individual autonomy and responsibility.

I say these things because when I was called

to the bar a few short years ago, the Minister of Education was the person who spoke at that ceremony. I remember her words very well about the importance of maintaining individual autonomy in a world that is becoming increasingly impersonal. I find it passing ironic that this minister would be responsible for more centralizing and more bureaucratizing of education than one can imagine.

If one puts Bill 127 next to—

Mr. Chairman: Wait a minute. Order.

Mr. Rae: I am talking about the amendment.

Mr. Chairman: Well, convince me a little bit.

Mr. Rae: Mr. Chairman, this amendment is central to the bill; the question of surpluses and deficits is central to the bill. I believe you cannot understand Bill 127 without coming to grips with this amendment and you cannot understand this amendment without coming to grips with Bill 127. I know that is hard for you.

Interjections.

Mr. Rae: I think it is understandable. Logic 100, Mr. Chairman. I think you could get through it. You did very well on the math; there is no reason you could not score on the logic.

There is this irony that what the minister is doing is combining the worst of two worlds. She is combining the world of cutbacks, where wealthier boroughs and other boroughs will be encouraged to save money at the expense of programs and where those boroughs in those cities that want to spend will not be encouraged to spend, and she is doing this at the same time as she is centralizing control, increasing bureaucracy and decreasing the amount of accountability that people have in education.

Hon. Mr. Norton: Following your call to the bar, you want to get a little practical experience in the real world or you would not say that.

Mr. Rae: I can understand why the Minister of the Environment is excited.

Hon. Mr. Norton: Excited? I am not excited.

Mr. Rae: Well, you sounded awfully excited. I could be wrong, but when somebody shouts over at me—

Hon. Mr. Norton: I am just shocked at your naiveté.

Mr. Rae: Those are very tough words.

Hon. Mr. Norton: You live in a fantasy world.

Mr. Rae: The world of 127 should be a fantasy world, and it is a fantasy that should come to an end very quickly indeed.

Mr. Chairman: All right, all right.

Mr. Rae: But the hard fact of the matter is, Mr. Chairman—

Hon. Mr. Norton: You have no confidence in local politicians at all. That is what you are telling this Legislature: that you do not believe in local autonomy.

Mr. Rae: Control yourself. Take some toxa-phene; you will feel much better in the morning. I will tell you what it is in a while.

That is what the story of this bill is all about. The story of this bill is about cutbacks and about rewarding those who cut back. That is what this amendment is all about: rewarding those who cut back at the expense of providing for those who are in need.

I say that if the minister is going to do that, she should at least do it fairly, as has been proposed by my colleague the member for Oakwood. If she is going to do that with respect to surpluses or deficits, let her go whole hog with respect to local autonomy and restore the integrity of the local levy and of local bargaining. Then we might be back to a place that was fairer and provided for accountability and autonomy, rather than the kind of inefficient, bureaucratic, unfair monstrosity that is going to be created by this bill.

Mr. Ruprecht: Mr. Chairman, as I am my party's representative for Toronto, I would like to compliment the parents and the school trustees who are here today. They have been here day after day because they object to the minister's bill and that is something to be said.

I wonder whether the minister really understands what has taken place here, especially when she stepped into the world of Bill 127 and the amendment which might prove to be her banana peel. If the smoke clears and when everything is said and done, this abomination might come to light. The question really is whether in Metro Toronto there will be a sharing of surpluses and deficits, or whether the historic relationship in Metro will be destroyed. That speaks directly to this amendment and I, like the member for York South (Mr. Rae), think this is very central to the argument.

Subsection 6(4) is designed really to confuse and obfuscate the fact that cutbacks have taken place and will take place. The historic significance is that from 33.9 per cent in 1975 to 19.7 per cent in 1981 and now to less than about 16 per cent is what this bill is going to promulgate.

I am very happy to see that some other members opposite from the city of Toronto have come in. I have a question for them. Where

were the backbones of the members opposite who represent Toronto ridings in the inner sanctums of cabinet when this decision was made and this discussion took place?

Mr. Chairman: And we would like to know where they are in the amendment, remember?

Mr. Ruprecht: I would like to know where they are on this amendment and I would also like to know where they are on Bill 127. We know there are some members, not only on this side but even on the government side, who speak up and write and say to their constituents—

Interjection.

Mr. Ruprecht: That is right. How did the Chairman know that? It is very interesting. But that is precisely what happened. I am very happy he is informed but I am not sure some of the other members are informed of this. They are not only unhappy about this amendment, they are not happy about Bill 127.

What I would like to know is, if they had written this to their constituents—and we all know they have done so—then is there not something to be said for honesty, integrity, truth and backbone stability to support their decision? What happened to those members opposite when the crunch came, when decisions were being made and when the minister decided to change her mind? The letters were sent to their constituents on this very subject, since it is central to the argument, but went by the way-side and the promises were not kept.

I could give the minister a whole litany of what kinds of promises have not been kept. The biggest promise was made by the minister herself. The promise we all know she made to the whole city of Toronto, to the school boards and to all the people who have come in good faith to the hearings when this was discussed, was that she would take back subsection 6(4) that we find today. She said, and I have the quote here: "If we amend"—this is a quote directly to this subject—

Interjection.

Mr. Ruprecht: I know the minister does not like to hear that. I know the members opposite do not like to be reminded of the promises they make that are not kept.

10 p.m.

Hon. Miss Stephenson: I could not care less. It was not a promise.

Mr. Ruprecht: If it was not a promise, then what was it?

Mr. Chairman: I think even I can remember you repeating that. You are becoming repetitive.

Mr. Ruprecht: It is a very good thing you remember. I only wish the minister would remember the kinds of things she has said and promised. That is precisely my point; she went back on this promise. She said, "If we amend that portion that has already been amended by the change of the wording in the last three lines: 'has jurisdiction by an amount that, in the opinion of the school board, is equal to the portion of the surplus that was raised by local taxation in the area municipality'. Then the member for Oakwood said: "I am satisfied. That deals with the concerns and the arguments I have presented."

That promise she made was passed by everyone at the committee stage. The people presenting their arguments were a cross-section of the people of Toronto. They were not simply teachers or members of the school board. They were parents and those directly affected by the abomination of this bill. When the smoke cleared and everyone had left, when we were among ourselves to discuss this very matter, the promises that had been made in front of all these people and all the different committees were changed.

Hon. Miss Stephenson: We were among ourselves when we did it.

Mr. Ruprecht: The minister knows precisely what happened on this specific point of surpluses and deficits. What happened was that, like a bolt of lightning in the night, she did not really inform us, but after everyone had gone, happy with the amendments and the promises she had made, we suddenly had thrown at our feet that the minister had changed her mind again and was back again, as stubborn as ever, to her old concept of not sharing deficits and surpluses.

Mr. Chairman, I call to your attention that promise was not kept. We all realize the reason she should have kept the promise is because she should know the needs of Toronto are different. She knows that when I went on a tour with the member for York South, we saw at first hand what the needs really were when we went to the classrooms.

Hon. Miss Stephenson: I am sorry I was not there.

Mr. Bradley: Where was the minister then?

Mr. Ruprecht: She has never gone there. She went to Ryerson school and she went to Parkdale school in my riding. She did not even inform me

that she went into the school in my own riding. That would have been very nice.

The Deputy Chairman: The member will speak to the motion.

Mr. Ruprecht: It would have been very nice if the minister had given me the courtesy of saying she was going into my riding.

The Deputy Chairman: The member is getting himself off track. Do not be distracted.

Mr. Ruprecht: Mr. Chairman, I thought—
Interjections.

The Deputy Chairman: The member will address his remarks to the motion on the floor.
Interjection.

Mr. Ruprecht: The member thinks that is funny and he knows it is not true. Obviously that is not the point at stake here.

The Deputy Chairman: The member will quickly address himself to the motion.

Mr. Ruprecht: Mr. Chairman, I am trying to contain myself when I hear these kinds of remarks.

The Deputy Chairman: Do not be diverted.

Mr. Ruprecht: The point really has to be made, and I think most of us would agree, that the needs in the city of Toronto are different. When the minister understands the needs of Toronto are different, there is only one way for her to go and that is to withdraw this amendment and this whole nonsense of Bill 127.

If she had indeed gone, as she says, to schools and talked to teachers, students and principals and to parents who are affected, there is only one way out for her in an honourable way, and that is to withdraw this bill. We are asking her to do that tonight. If she cannot do that and she withdraws this amendment which is essential to the bill, then I can only say, and I do not wish to use unparliamentary language, she does not understand the full flavour of what she is proposing.

If she were to go to those schools and talk to all those people, I do not see how she could come away from those places without having a red face, because that is what she ought to have. She should be ashamed to introduce that kind of situation when she knows what some of the basic needs are, some of the basic and different problems in the city of Toronto.

When the minister says she has grandchildren in school, I would like to know whether she is sending those grandchildren of hers to Toronto schools or to schools in other boroughs. I would like to find out if she sends her grandchildren to

schools in the city of Toronto. I would really understand her point of view then. If they are in another school and if she does not pay much attention to some of the schools in the city of Toronto, and especially the special needs, I can only shake my head and say she should withdraw the bill.

The minister says this is not the case when this section is introduced. Every member on this side of the House has said the introduction of this amendment and the introduction of Bill 127 mean a cutback in programs, but she says they do not. Every member on this side of the House is saying the introduction of Bill 127 and this specific amendment mean cutbacks in funding. Her answer is "No." We maintain the introduction of Bill 127 means some of the schools will be closed. What is her answer? Her answer is "No."

I cannot for the life of me understand why, when every member on this side of the House says the answer is "Yes," she still maintains the answer is "No." On top of that, there are some members in her own party who represent the city of Toronto and some state publicly that the answer is "Yes," but the minister still maintains the answer is "No."

We can only come to one conclusion, that this minister is battling and maintaining a vendetta against the city of Toronto and its school board for maintaining excellent programs and a good educational policy. I know the minister does not want to listen to this. I know she pretty well stands alone.

Mr. Brandt: No, she does not and you know it.

Mr. Ruprecht: I maintain she pretty well stands alone. I do not see the Attorney General (Mr. McMurtry) here. I know the member for Sarnia (Mr. Brandt) does not represent the city of Toronto.

The Deputy Chairman: Order. The member is becoming a little repetitious, although he is speaking primarily to the motion.

Mr. Ruprecht: It can stand repetition. The member for Sarnia only has to turn around two places to his right and he can find the answer to my question.

Mr. Gillies: That is not true.

Mr. Ruprecht: He can turn two places to the left and find another answer which is "Yes."

The Deputy Chairman: The member will speak to the motion.

Interjections.

Mr. Ruprecht: That is the point. The point is this bill is being railroaded and this section is

being railroaded. What we want to know is, what is the cost their own members have to maintain? What is the cost of this railroad that their members will have to pay?

I know what this cost is. The cost will be to the Progressive Conservative Party in the next election because this bill, and this specific section which is central to the bill, absolutely stands by itself. It maintains the minister is wrong. The minister is wrong because every person I have talked to in the city of Toronto—

Hon. Mr. Drea: All two of them.

Mr. Ruprecht: Every person.

The Deputy Chairman: Order.

10:10 p.m.

Mr. Ruprecht: I want to say that every person who has come before the committee that I was sitting on—and the minister was not there—every person from the city of Toronto without one exception, every member, every parent, every representative, every school board trustee who has appeared on this bill from the city of Toronto has said unanimously that he or she disagrees with this bill and their answer is yes, they are being adversely affected by this bill.

If some of the members opposite were listening to what some of the parents had to say when they appeared on Bill 127, and on this section as well, they would find that to a man this was the case. We would like to know where the minister gets her advice on this section. Where does she get the advice when she made the promise that changes a section, and then she comes back and changes her mind again? We would like to know where she gets the advice.

Hon. Mr. Norton: I'll bet you haven't even read the amendment.

Mr. Ruprecht: Perhaps the Minister of the Environment (Mr. Norton) gives her the advice.

This is Bill 127, and this is subsection 6(4) and it speaks specifically to the central point of this bill, which is whether sharing deficits and surpluses is going to take place in Toronto. That is the basic issue in this question.

Interjection.

The Deputy Chairman: The honourable member has raised a question and the minister wants to answer it.

Mr. Ruprecht: If the Minister of the Environment read the section instead of interrupting on a consistent basis, and if he were to listen to some of his own members he would change his mind and so would the minister.

Interjections.

The Deputy Chairman: Order. The member for Parkdale has the floor and is allowing himself to listen to these interruptions and now is going to address himself to the amendment. I ask that these interruptions cease.

Mr. Ruprecht: The Minister of the Environment has heard from me before about the Junction triangle. He is trying to intimidate me on this specific bill, but he knows we have truth and justice on our side. By his obfuscating on this bill, by confusing everyone with his interjections, we are not getting any closer to the truth.

The Deputy Chairman: The honourable member who has the floor will speak to the motion. Interjections.

The Deputy Chairman: Order.

I do not know how many times the Chairman has to say "Order," or how loudly he has to do it to cause this honourable House to give the member for Parkdale the attention he deserves. He has the floor.

Mr. Ruprecht: I would like to find out where this honourable minister is getting advice. Is she getting advice from the member for High Park-Swansea (Mr. Shymko)?

The Deputy Chairman: I am asking you, as an honourable member, to speak to the motion.

Mr. Ruprecht: Let me point out that this particular section is quite exact when on the side it says, "Reduction of apportionment." That is precisely the point: it is a reduction, it is a cutback.

Hon. Mr. Norton: Do you know what you are talking about?

Mr. Ruprecht: Sure, we do not know what we are talking about. When has the minister ever said any one of us here knows what we are talking about?

Hon. Mr. Norton: The honourable member is out to lunch.

Mr. Ruprecht: Of course we are out to lunch.

The Deputy Chairman: Order.

Mr. Ruprecht: The section is easy to understand. Even the Minister of the Environment can understand. He may not get through it to find out what the section really means because he does not have any kids here in Toronto. He is not sending anybody to school here; he is not cutting any classes; he is not increasing class sizes; he is not closing any schools. That is precisely the point: he does not want to know what this bill means for the city of Toronto; he does not want to know that.

When we went on our tour, we found out what this means. If the Minister of Education says schools do not have to be closed, classes do not have to be cut and programs do not have to be reduced, if none of these has to take place, why is it that every single person in the school, from the principal to the students, believes differently? Why is it that every member who speaks on this side of the House disagrees with her? Is it because we are all wrong? Is it because we are brainwashed and do not understand? Is it because we do not read? Of course not; it is because the government does not want to know the truth about how this bill affects Toronto.

What it means is that one class I was visiting in Toronto will have to be cut at Ryerson. English as a second language programs will be reduced. People who have reading disabilities will have their classes reduced. That is precisely what we are talking to. That is what sharing deficits and surpluses really means: it means programs are going to be cut. The minister says "No." I cannot for the life of me understand why she says that.

Let me continue. We all know that subsection 6(4) is a blunder. It restricts education, provides for no imagination and basically destroys our future because it destroys the future of our kids.

Mr. Chairman, you may remember that we in this province go outside the country to Britain and other places to hire people because we cannot find workers to man our machines and do contracting work. We have to go abroad because our own kids are not trained properly. This bill is adding to the demise of the future of Ontario because it adds to the demise of the kids of Ontario.

This government has gone abroad to hire people to work in this province. It is about time the Minister of Education instituted programs here, not cutbacks, that will maintain these facilities so our own people can find work in this province.

The Robarts commission said in 1977 that the Metro board should be closed. Yet, as we have heard before, this minister has done the exact opposite by strengthening the Metro board. The government has strengthened those people in the boroughs who see themselves as representatives of taxpayers. There are city trustees who see themselves as representatives of parents. We are on the side of the parents and the city trustees. The result is that in the city of Toronto we have excellent education. That is proved by the member for Oakwood, who is a product of the Toronto school board.

Hon. Miss Stephenson: Are you?

Mr. Ruprecht: The minister is getting personal. This minister really aggravates me. She is also aggravating—

Mr. Di Santo: Mr. Chairman, on a point of order: when the member for Parkdale told the minister that the member for Oakwood is a product of the Toronto school board, the minister replied, "Are you?" Is that not a slur, Mr. Chairman?

Hon. Miss Stephenson: Is asking a question a slur?

Mr. Foulds: It was not meant that way.

Mr. Breagh: It is marginal.

Mr. Chairman: The member for Oshawa (Mr. Breagh) says it is marginal. I will fall on the side of its not being a point of order.

10:20 p.m.

Mr. Ruprecht: Mr. Chairman, we are now being taught in our own schools some of the finer Shakespearian lines. As this minister—

Mr. Grande: On a point of order, Mr. Chairman: I did not hear what the member for Parkdale said, but do I understand he said that I am a product of the educational system here in Toronto?

Interjection.

Mr. Grande: Partially.

Mr. Chairman: Wait a minute. It is not question period, but let us straighten it out.

The member for Parkdale, are we in trouble with this guy? What is the problem?

Mr. Ruprecht: Mr. Chairman, if the member—
Interjections.

Mr. Ruprecht: No, I mean if the member for Oakwood takes exception to the point, and the member for Downsview (Mr. Di Santo) as well, then I think the member can tell us very well what system he is a product of. That is fine with me. I just thought it was the city of Toronto.

Mr. Grande: I would be more than happy to, Mr. Chairman. I am a product of both the Italian and the Canadian systems.

Mr. Ruprecht: Mr. Chairman, there is one thing we should realize. The constant interruption by the Minister of Education really plays right into the hands of one Shakespearian line. Given a little brief authority, she "plays such fantastic tricks before high heaven as make the angels weep." But she does not understand the very product she is making by this bill. She is not only making the angels weep, she is making me weep because she does not seem to understand the implications of Bill 127.

When we were before the standing committee on general government, we heard from a lot of people. I want to give an example of the kind of people who appeared before the general government committee just from my own riding, of how many people are upset and concerned about this bill. I want to mention who appeared and the kind of representations they made when they came to speak before the committee.

We had the Area West Parents' Council from my riding, the Parkdale Parents' Association—

Mr. Chairman: With great respect, I see you could read all the organizations into the record, but you are not speaking to the amendment.

Mr. Ruprecht: I am. These people have objected to this bill and this particular section.

Mr. Chairman: It makes for interesting conversation—

Interjections.

Mr. Ruprecht: The point is simply this. I am going to keep on reading who appeared from my own area of Parkdale.

We had the Parkdale Parents' Association and the Howard School Parent Teacher Association. We had objecting to this section of the bill, the Shirley Public School Parent-Teacher Association—

Hon. Mr. Norton: Come on, back to the amendment.

Mr. Ruprecht: That is part of the amendment.

We had the Perth Avenue Public School Parents Association, the Brock Avenue Public School Parent-Teacher Association, the Hughes Public School Parent Teacher Association, and spokespeople from every walk of life. They all objected to this particular section of the bill and the bill itself.

It is clear, when one has this broad spectrum of the population from my very own riding of Parkdale represented, that at least you, Mr. Chairman, will get an idea, as will the members opposite, because it is they who finally have to make a decision—and you too, Mr. Chairman, will have to make a decision—when we come to vote tomorrow on this very bill. I want to indicate—

Interjection.

Mr. Ruprecht: That is right, tomorrow.

I want to indicate that this is really our last chance to persuade anyone on the other side to break ranks from this steamroller that is pushing people into voting for Bill 127. I think it is time for the government members to understand they should have enough backbone not to back

this minister, not to back this steamroller or this specific amendment.

This amendment is central to the argument. Those people have a right to defeat this amendment and this bill and that is why they should listen carefully, because we only have a few hours to convince them. They laugh, show derision and think it is funny. That is the kind of thing people in Toronto do not expect of them. They expect them to take this seriously.

Those people expect those members to listen not only to the minister but to the members of their own party who represent this area, and especially to that member who comes from outside Toronto. He should also know we not only have people in Toronto objecting to Bill 127, but we have people even from Sarnia and from every other part of Ontario. Does he know that? He did not know that. Let me convince him.

Mr. Brandt: Name one person.

Mr. Ruprecht: Let me convince him—Liberal background notes. I want him to know people came to object to this amendment. They came from his riding; they came from Ottawa, from Windsor and from almost every part of Ontario. They came and they objected.

Interjection.

Mr. Ruprecht: I know. That is right. I know he would not like me to say this, because he wants to shut his ears and put his blinkers on and only listen and believe what the minister may tell him. I do not know what promises she has made to him to vote for this bill, what promises the minister has made to other members of caucus and what promises she has made to the members from Metropolitan Toronto who will have to take the brunt. They will have to face the people of Toronto. We would like to know what promises were made to the member for High Park-Swansea and the member for St. George (Ms. Fish).

Mr. Chairman: Wrap it up. Let us go back to the amendment. Come on, finish in snappy style.

Mr. Ruprecht: We only have a short time to convince them and to convince the Chairman when he goes back to his seat to vote for this specific amendment.

I want the member for Sarnia to know beyond a shadow of a doubt that we had people here from all over Ontario, even from his riding. I want him to get in contact with some of those people. Has he never received any correspondence from people in his riding about this? I

have. I remember when people objected to this very amendment, to the whole process of sharing deficits and surpluses. I remember the many petitions that were received, not only from Toronto but from all over the place.

The member may not want to know there were thousands and thousands of petitions. We want him to know the exception, the objection and the opposition to this bill comes not only from Toronto; we want him to know that. It is broad across Ontario and it affects every person living in Toronto. That is why we are upset.

He may say, "Forget the amendment because it is just one of many"; he may say, "Forget the whole bill; let us go home," because his plane is waiting, his taxi is out there or his limousine is waiting to take him away into the never-never land of holiday fever. That is not the point.

We want him to know we are upset and disagree totally with this section and with the whole of Bill 127. The more we can convince him of the opposition that has taken place, from his riding and from every riding in Ontario, the better chance there is he might change his mind.

Tonight and tomorrow are most important days. This section is probably one of the most important sections of Bill 127. This bill as a whole is probably one of the most important bills that will break historic tradition in Toronto. It will break the backbone of the educational system in Toronto and the minister keeps on denying it. I wish she had enough guts, enough fortitude, to tell us the truth about how this bill affects Toronto.

Mr. Chairman: Thank you very much.

Hon. Miss Stephenson: Mr. Chairman—

Mr. Chairman: I was all set to put the question.

Mr. Nixon: Do you want to adjourn the debate?

Hon. Miss Stephenson: No, I do not wish to adjourn the debate—

Mr. Chairman: Is this a point of order?

Hon. Miss Stephenson: —but there are questions that have been put that need to be answered, because there is a whole range of either quarter-truths or total nonrectitude that has been mouthed this evening.

Mr. Chairman: But now is not the time.

Hon. Miss Stephenson: All right.

Interjections.

Mr. Chairman: I guess we are not going to put the question to the amendment.

Some hon. members: No.

Mr. Nixon: Move that the committee rise, somebody.

On motion by Hon. Mr. Wells, the committee of the whole House reported progress.

BUSINESS OF THE HOUSE

Hon. Mr. Wells: Mr. Speaker, as provided in the standing orders, I would like to give a business statement for tomorrow and the remaining time. However, since we are sort of moving from day to day, let me just say that tomorrow we will deal with Bill 127 in committee of the

whole. Of course, we will adjourn at one o'clock and the House will resume on Monday—that is, resume on Monday if the bill is not passed tomorrow. We will have a further statement before the House adjourns tomorrow.

I should just make it very clear to members, though, that there really is only one order of business remaining for this session of the Legislature, and that is the passage of Bill 127.

The House adjourned at 10:33 p.m.

CONTENTS

Thursday, February 17, 1983

Committee of the whole House

Municipality of Metropolitan Toronto Amendment Act, Bill 127, Miss Stephenson, Mr. Grande, Mr. Sweeney, Mr. Rae, Mr. Ruprecht, adjourned.	7759
---	-------------

Other business

Business of the House, Mr. Wells.	7782
Adjournment.	7782

SPEAKERS IN THIS ISSUE

Barlow, W. W. (Cambridge PC)
 Bradley, J. J. (St. Catharines L)
 Brandt, A. S. (Sarnia PC)
 Breaugh, M. J. (Oshawa NDP)
 Cassidy, M. (Ottawa Centre NDP)
 Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
 Cureatz, S. L., Deputy Speaker and Chairman (Durham East PC)
 Di Santo, O. (Downsview NDP)
 Drea, Hon. F., Minister of Community and Social Services (Scarborough Centre PC)
 Foulds, J. F. (Port Arthur NDP)
 Gillies, P. A. (Brantford PC)
 Grande, T. (Oakwood NDP)
 Gregory, Hon. M. E. C., Minister without Portfolio (Mississauga East PC)
 Havrot, E. M. (Timiskaming PC)
 Kerr, G. A. (Burlington South PC)
 Kerrio, V. G. (Niagara Falls L)
 Martel, E. W. (Sudbury East NDP)
 McClellan, R. A. (Bellwoods NDP)
 Nixon, R. F. (Brant-6xford-Norfolk L)
 Norton, Hon. K. C., Minister of the Environment (Kingston and the Islands PC)
 Rae, R. K. (York South NDP)
 Riddell, J. K. (Huron-Middlesex L)
 Rotenberg, D. (Wilson Heights PC)
 Roy, A. J. (Ottawa East L)
 Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
 Sweeney, J. (Kitchener-Wilmot L)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)



No. 217

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Official Report (Hansard)



Second Session, Thirty-Second Parliament

Friday, February 18, 1983

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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LEGISLATURE OF ONTARIO

Friday, February 18, 1983

The House met at 10 a.m.

Prayers.

STATEMENTS BY THE MINISTRY

GRAIN ELEVATOR STORAGE

Hon. Mr. Timbrell: Mr. Speaker, later today I will be tabling a paper for discussion that would lead to legislation to revise and update the Grain Elevator Storage Act. The thrust of this measure is to safeguard the property rights of producers who deliver grain to an elevator for storage.

Protecting the rights and position of the producer is a priority item at my ministry. This emphasis shows itself in many of the financial programs we have initiated. I refer, of course, to the beef cattle financial protection program; the farm adjustment assistance program, extended through 1983; crop insurance, and the revised farm tax reduction program. These programs are among the front-line elements of our policy to strengthen the producer's, and ultimately all of agriculture's, position in the provincial economy.

I am now asking the members to turn their attention specifically to the position of the producer in his dealings with elevator operators. The proposal makes it clear that farm produce held in an elevator for storage remains the property of the producer.

In past years, once grain was in the elevators and a contract for sale had been signed, confusion sometimes arose as to who owned the farm produce in question, the producer or the elevator operator. This confusion was aided and abetted by the tickets and forms used in the actual transactions between the parties. When elevator operations fell into financial difficulties, banks would seize all the contents in the elevators, including stored farm produce. Legal battles ensued as the rightful owners tried to regain or be compensated for their property.

The paper before the members would guarantee all grain delivered to an elevator would be deemed intended for storage, unless the contrary is established in writing or before a court. Further, the forms used in the transactions would be separated and clarified under the

revised legislation. It would further protect the producer in sales transactions by declaring that the owner retains title to the grain until he receives his money.

The chief inspector would have appropriate powers to implement these provisions, including the authority to seal bins and seize, remove and sell stored grain. Such powers are deemed necessary to protect the interests of the owners of farm produce. These powers are also necessary because of the perishable nature of the produce and could be invoked, for example, if the elevator operator becomes insolvent or abandons the facility.

This proposal responds to representations by the producer marketing boards involved and by the chief inspector, Mr. Bill Taylor, who is a highly respected figure in the grain industry. The contents have also been discussed with the Ontario Grain and Feed Dealers Association. Everyone concerned appears to be supportive of these measures in their present form.

I, therefore, am tabling this paper for discussion by the members and further examination by the industry. Suggestions for refinements will be welcome.

ARK EDEN NURSING HOME

Hon. Mr. Grossman: Mr. Speaker, during the review—

Mr. McClellan: Mr. Speaker, we do not have the statement yet.

Hon. Mr. Grossman: Pardon me?

Mr. Speaker: They do not have their statements.

Hon. Mr. Grossman: Here it comes. I am sorry. It is on its way.

Mr. Speaker: Has everybody received his copy?

Hon. Mr. Grossman: Mr. Speaker, during the review of my ministry's estimates, members of the standing committee on social development discussed with me some quite disturbing evidence which my ministry was reviewing concerning conditions under which residents were living in the Ark Eden Nursing Home at Stroud.

At that time, I told the committee I was appalled by some of the allegations made at the inquest into the death of Yves Soumelidis, a

a 21-year-old retarded man who was living at Ark Eden which is a nursing home licensed by my ministry. I promised to have the home inspected once again and share the results of the inspection with members of the committee. I will now table that report with the House. It indicates conditions we simply will not tolerate.

I have advised the operators of the home I do not intend to renew their licence to operate a nursing home when that licence expires on March 31. It is our intention to begin immediately to relocate all the residents of the home. This will be done in a humane way on the basis of medical assessments being carried out today by Dr. Donald Zarfes, professor of mental retardation at the University of Western Ontario, and Dr. Peter Rastogi, a paediatrician at Surrey Place Centre here in Toronto.

If, by March 31, all the remaining residents cannot be relocated to proper facilities, the Ministry of Health will assume control and operation of the home to protect the health and safety of the residents until it is vacated.

We have never taken action of this sort before but it is clear from a review of the inspection reports that the owners have not fulfilled the commitments they made to this ministry when they acquired the licence for the home three years ago. They have consistently failed to correct identified shortcomings which could affect the health, safety and welfare of residents.

As I indicated to the social development committee, we have reorganized our inspection service and we simply will not permit conditions in any health care facility in this province which could jeopardize the wellbeing of those it serves.

It may well be that further authority will be needed to ensure the success of this policy, but I hope I can count on the support of all members for any effort to ensure that adequate standards of care and safety are enforced here and elsewhere.

10:10 a.m.

ORAL QUESTIONS

REGULATION OF TRUST COMPANIES

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations, which comes out of some of the material filed in court on Tuesday in support of the application for receivership of Kilderkin Investments with the affidavit in the name of Mr. Brown, vice-president of Touche Ross.

In that affidavit he states: "The investigation procedures with respect to Seaway included

title searches, review of documentation relating to the underlying security and/or the financial capacity of the borrower such as cash flow statements, balance sheets, etc., and appraisals where available. Independent appraisals have either been obtained or have been ordered by Touche Ross Ltd. for a majority of the properties on which these mortgages are secured."

These findings of Touche Ross are extremely critical of the Seaway Trust method of operating over the past couple of years. I would like to ask the minister, are these not precisely the same sort of investigative procedures his ministry officials should have been employing when they conducted their annual inspections of trust companies? Do they not, in the normal course of events, look at the cash flow statement, the balance sheet and appraisals available, and review the relevant documentation in order to file their annual report?

Hon. Mr. Elgie: Mr. Speaker, as the member knows, the material referred to is material that is filed for the purpose of activities and actions before the courts. But, in a general way—and we have discussed this on many occasions in this House—the issue of the regulatory activities carried out with respect to trust companies is an issue which is being reviewed at this time. There is also the Morrison examination being carried out into the business conduct of three trust companies.

I have said very clearly that this report will be tabled as long as there is no legal reason prohibiting it from being tabled. I have also said that when all the information is available, surely the Leader of the Opposition and members of this House would want to discuss this issue in the light of all the information, and not selectively on a case by case basis as the Leader of the Opposition has tried to do in the past.

The whole issue of regulation in the trust company industry will also be discussed in the white paper and will be the subject of consideration in this House. There is no problem about the regulatory activities of this ministry being a subject for discussion. Let us put an end to that suspicion right now.

Mr. Peterson: I refer the minister to a transcript of a meeting held in Clarkson Co. offices, Friday, January 14, at which a number of people were present, including Mr. Player. Mr. Player said the following at the time, and I think it is important:

"I am not sure of the date, but on the Tuesday or the Wednesday after the Cadillac Fairview deal closed, Roger Wilson"—of Fasken and

Calvin—"and I spent three hours with Don Crosbie and Murray Thompson in the minister's office. I explained fully the deal to the minister. I explained fully how the down payment was made, where the money—that the money was not in Canada for a down payment, how it worked."

This is the important part: "I explained and went through the deals, how Don Crosbie and Murray Thompson were both aware of my MURB deals"—obviously, the multiple-unit residential building deal is prior to the Cadillac Fairview sale—"and my cash flow deals from inspections of the trust companies and mortgages, were well aware of who it was."

What he is saying is that the minister's regulators were aware of the conduct in which he was engaging. Presumably they gave approval, because they have never publicly registered any displeasure with what was going on between Kilderkin and Seaway over the past couple of years. Now the minister says that he is going to have an internal review of the regulators to see why they missed everything that was going on.

Does the minister not feel because of the tremendous conflict of interest that, as in other situations like this when certain people's conduct is being investigated, these people should be put on suspension and new people whom we can have faith in to analyse the trust companies should be put in that job now, pending a review of their conduct? Why were Mr. Thompson, Mr. Crosbie and all their staff so incompetent, knowing what they did know and not bringing it to the minister's attention before this deal?

Hon. Mr. Elgie: First of all, I do not intend to comment on the veracity of statements made in documents that are before the courts.

Mr. Peterson: You mean your own affidavit?

Hon. Mr. Elgie: Just hang on. They are documents that are before the courts where the very issue before the courts relates to the material filed, and I think the honourable member can understand that.

I have no intention of replacing anybody in that ministry. Certainly I have confidence in them.

Mr. Renwick: Mr. Speaker, I noticed in reading the affidavit of Mr. Brown, filed in the application for the appointment of the interim receiver for Kilderkin, that there is this express statement of something like \$300 million owing as a liability to the investors and depositors in Seaway, but in the identical outline with respect to Greymac there is no such statement. Can the

minister tell the House the extent of the liability to depositors and/or guaranteed investment certificate holders of Greymac?

Hon. Mr. Elgie: Mr. Speaker, I can only repeat that I have not received a report with respect to Greymac and I cannot provide that information.

Mr. Peterson: I want to point out to the minister that the affidavit shows it was common practice for Seaway and Kilderkin transactions that properties were flipped several times with substantial increases in sale prices and subsequent mortgage financing. I will point out to the minister again that two of the three examples used in support of the affidavit were examples we brought to the minister's attention in this House some time ago, and that cries out, does it not, for someone independent to look at this entire matter.

Why will the minister not, in the interests of the depositors and of all people involved in the trust industry, subject what his ministry did to an independent review to make sure this will never happen again? Obviously, the conduct of his staff and of the registrar is a very serious area for investigation.

Hon. Mr. Elgie: As I have said before, it is my view and the view of the government that the actions that are under way—namely, first, the possession of the three trust companies by the registrar under section 158(a); second, the special examination being carried out by Mr. Morrison under the Loan and Trust Corporations Act with powers under part II of the Public Inquiries Act; third, the internal review that is being carried on with respect to the ministry's practices and procedures in its regulatory activities, and fourth, a white paper dealing with a broad range of issues, issues that do have to be addressed and considered by this House—will produce more, in our view, than any other type of public inquiry.

That, in conjunction with the civil actions that have been taken, I submit will produce more quickly and more effectively than any other route the kind of results that depositors and the public want and that this House should want.

Mr. Kerrio: You made the same promise 10 years ago.

Hon. Mr. Elgie: Trust me.

Mr. Peterson: You know that if it happens it will be so embarrassing you will have to resign over it.

MUNICIPAL ASSESSMENTS

Mr. Peterson: Mr. Speaker, I have a question for the Minister of Revenue. There are press reports in the Toronto Star today saying the impact study on the huge tax increases under the new assessment system may never be made public. I refer the minister to Hansard of February 10, when he said, "That will become abundantly clear when the impact study is made available, I hope within the next week or so."

Can the minister clear up for us the ongoing confusion in his ministry, indeed in his entire government?

10:20 a.m.

Hon. Mr. Ashe: Mr. Speaker, there is no confusion going on. When the impact study is ready to be released, it will be.

Mr. Peterson: I would like to know when that will be released. Is the minister's previous statement accurate? He said it would be in a week or so and that statement was made over a week ago, so perhaps he can be more specific.

I also want to know what assurances the minister is going to give those people whose assessments have been haphazard, the 7,000 last year and presumably 10,000 this year? What assurances is he going to give those people that they are not going to be unfairly discriminated against under his system?

Hon. Mr. Ashe: The assessment study will be released in due course. When it is, the member will be one of the first ones to know.

As far as the people who were reassessed last year and those who will be reassessed this year are concerned, I can assure the member that the process and procedure last year was fair and equitable. This year we will make the system even fairer and more equitable. As far as the numbers involved are concerned, that is pure speculation on the part of the writer.

Mr. Peterson: There is a giant conspiracy against the minister by the press, by the Globe and Mail and now the Toronto Star. Is it now his intention to send a letter to the Toronto Star to clear up this ongoing confusion?

Hon. Mr. Ashe: No, it is not. The speculation is exactly that. I think that is contrary to particular quotes that were attributed to me in the earlier story.

INDUSTRIAL ACCIDENT COMPENSATION

Mr. Rae: Mr. Speaker, I would like to address a question to the Minister of Labour. I am sure the minister is acquainted with the case of a

young man named Terry Ryan who was blinded at age 26 in an industrial accident which happened three years ago at Westinghouse. This case resulted in a \$5,000 fine against Westinghouse.

Is the minister aware there were seven charges originally laid and not proceeded with, and that one amended charge was proceeded with for improper storage of a flammable liquid under clause 14(1)(c) of the Occupational Health and Safety Act?

Is the minister not more than a little concerned as a result of charges being dropped and proceedings carrying on with one or very few charges as we have seen in this case and which we saw last time with the Longstaff case? Does he not feel the inevitable result of that is going to be very low fines and inadequate enforcement of the law with respect to serious industrial accidents which are having a major effect on these young men?

Hon. Mr. Ramsay: Mr. Speaker, I agree with the honourable member that it was a tragic accident and extremely unfortunate.

This parallels the matter the member brought up a week or so ago on which I am preparing a detailed response, the same situation of several charges being laid and then all but one being dropped. I just have a preliminary response to that. I would like to have the opportunity to rephrase this at a later date, but whether it is seven charges or one charge, it is my understanding that the charges are concurrent and therefore the laying of one charge does not mean that there has been any reduction of prosecution. I will have an exact legal opinion on that for the honourable member within the next day or so. I had hoped to bring it with me today, but it will probably now be Monday.

Mr. Rae: The minister is surely aware that the court has the jurisdiction to levy a fine with respect to each charge laid. The withdrawal of a charge means the court no longer has jurisdiction to make an award respecting a fine for a particular charge. I am sure he is aware that this matter is now before the courts with respect to whatever private remedies Mr. Ryan may or may not have, which is the question now being litigated.

In regard to the reform of the Workers' Compensation Act, does the minister not feel a pension of \$1,080 per month is an inadequate protection and an inadequate recognition of the serious fact that this young man has been permanently disabled?

Does he not feel it is high time we reformed

the Workers' Compensation Act to allow payments for pain and suffering which would recognize the real degree of loss and the real degree of suffering which is being felt by these young people who are being disabled for life in these terrible industrial accidents?

Hon. Mr. Ramsay: As the members opposite are aware, the Weiler report was being studied by the standing committee on resources development last September. At that time, the deliberations were interrupted by the recall of the Legislature for the study of Bill 179. The committee study of the Weiler report was not completed at that time. When we got back here in January, we were faced with finishing up the estimates of the various ministries so the study of that report was again put off.

I have now had the assurance of the committee that the Weiler report will go to the resources development committee as soon as we return in April and there will be all the time necessary. If additional time is required to that already allocated, which I believe is two and a half weeks remaining, we will be given that additional time. I hope to be able to address some of the concerns of the member once I have the findings of the resources development committee.

Mr. Kerrio: Mr. Speaker, in considering the restructuring, I wonder if the minister is going to consider some kind of bond or security by these companies that have been fined when they have been shown to have been negligent. If they are asked to pay extra assessment and at some juncture either close down or leave Canada, I wonder why there is not some kind of bonding or security to make certain those payments continue and the burden is not left here when those companies either stop manufacturing, stop working here or leave the country.

Hon. Mr. Ramsay: Mr. Speaker, it is my understanding that is one of the points being considered.

Mr. Di Santo: Mr. Speaker, in view of the fact the minister said the resources development committee decided to hold this when the House reconvenes, does he not understand that what happened yesterday was to push further away the reform of the Workers' Compensation Board in spite of all the rhetoric this government is using?

In fact, yesterday the committee voted against having hearings during the next recess, as the minister made a commitment it would before this House last December when we were dis-

cussing the Workers' Compensation Act amendment.

Does the minister not think that by acting in that uncaring way, the government is not only delaying reform of the Workers' Compensation Board, but is allowing episodes like the one denounced by the leader of my party to be repeated time and again?

Does the minister not think it is time to talk to his House leader so he can call the members of the Conservative caucus to their senses and ask them to hold hearings now because the injured workers are waiting, and have been waiting for years for reform of the Workers' Compensation Act?

Hon. Mr. Ramsay: Mr. Speaker, the exact opposite is true as far as the allegations being made by the honourable member are concerned. I have no wish whatsoever to delay the deliberations on the Weiler report. The opposite is true.

Mr. McClellan: They are not meeting during the recess.

Hon. Mr. Ramsay: I am not going anywhere. I will be here during the recess. I would have been prepared to sit last week, this week or in January. Let me make another point. If the opposition had not filibustered on Bill 179, we would have had the regulations—

Mr. Martel: Get off it. On a point of order—

Hon. Mr. Ramsay: We would have had the deliberations, the findings of the—

Mr. Speaker: Order. Will the member for Sudbury East please take his seat. This has nothing to do with the question, and I have called the minister to order because his response had nothing to do with the question that was asked. We will get on to a new question.

10:30 a.m.

Mr. Martel: Point of order, Mr. Speaker—

Mr. Speaker: There is no point of order.

Mr. Martel: Yes, there is. You are not even going to listen—again.

Mr. Speaker: No. Now just a minute. Order. Will the honourable member just resume his seat, please.

I do not know what point the minister was going to develop, because it had nothing to do with the question that was asked. I do not know how you can raise a point of order on what the minister did not say.

Mr. Martel: I am raising it on what he did say.

Mr. Speaker: All right.

Mr. Martel: Thank you, Mr. Speaker. The minister said we could not proceed with the Workers' Compensation Board study because this party filibustered during Bill 179. That is not factual.

The committee had organized its time, which would have concluded with a report by October 6. This government called the House back, for some strange reason—because the polls looked good for controls—and the study was prevented from being completed by this government. It was interfered with because the Premier (Mr. Davis) wanted to appear to do something.

Mr. Rae: It interfered with the hearings. That is a fact.

Mr. Martel: It interfered with the hearings, and no report could be concluded. So do not come around here when—

Mr. Speaker: Order. Please resume your seat. Interesting as this may be, it is totally out of order.

ARK EDEN NURSING HOME

Mr. McClellan: Mr. Speaker, I have a question for the Minister of Health arising out of his statement with respect to the Ark Eden Nursing Home.

As the member who raised the concern in the social development committee, I want to compliment the minister on taking the wisest course of action, which is to close the home and arrange for adequate accommodation for the remaining residents. But there really are a number of questions that do have to be pursued.

First, I do not see an explanation for the terrible fact that some of the fundamental violations of the Nursing Homes Act and regulations were known to the Ministry of Health as early as May 1980. It did not take an inquest into the death of Yves Soumelidis in January 1983 to acquaint the Ministry of Health with the facts of the Ark Eden Nursing Home. They knew those facts as early as the spring of 1980. The violations were not just ignored; they were in fact suppressed. The knowledge of violations was suppressed and withheld, and I need to know how this possibly could have happened.

Hon. Mr. Grossman: Mr. Speaker, I am not sure who the honourable member is suggesting suppressed and withheld information. All I can indicate to the member is that I am conducting an analysis and review of the circumstances surrounding the last several years with regard to Ark Eden Nursing Home, and I want to satisfy

myself with regard to how things have reached this stage.

In fairness, the kinds of problems that were discovered in this nursing home over the past couple of years were essentially in three categories: first, structural problems, some of which are referred to in the inspection report I have made available; and those, as is the case in many nursing homes, are grandfathered in the sense that while they are structurally not in accordance with the way we would like, they are not deemed to be dangerous situations for residents of the nursing homes. So, in ordinary circumstances, they are grandfathered.

In the second category are those which were turned up or were known about at the time the licence was purchased, at which time the owner entered into an agreement with the ministry whereby those deficiencies would be remedied within three years. On March 31, it will be three years since the home was purchased and the owner has done little or nothing to remedy the defects, which I think numbered eight.

For the first period of years, at least with regard to some of the defects, there was an understanding that there would be a schedule for compliance. It is quite clear now that the operator does not intend to comply with the due date.

In the third category are operational deficiencies, which are also referred to in that inspection report. When those have been turned up from time to time, the owner has been ordered to rectify them as soon as possible. It is quite clear, too, that over a period of time the kind of immediate action we expected and demanded when operational deficiencies were pointed out was not always complied with and there was not the kind of immediate action that ought to have been taken.

Mr. McClellan: Let me try to be more specific, since the minister does not understand what I meant by the phrase, "withheld and suppressed." Does the minister not remember from the standing committee on social development that Mr. John Soumelidis, the father of Yves Soumelidis, wrote to Mr. Les Horne in the Ministry of Community and Social Services on August 7, 1981, complaining about the conditions at the nursing home, and that Mr. Horne contacted Paul Klammer, the chief of the nursing home inspection service, and relayed those concerns in the summer of 1981?

Mr. Klammer wrote back to Les Horne, who communicated back to Mr. Soumelidis that there was nothing wrong at the Ark Eden

Nursing Home despite the fact that Mr. Klamer knew in August 1981—I am reading from page 5 of the February 1983 inspection—“There were residents occupying beds which were deficient in size.” He knew that in August 1981. On page 6 of the report it says, “There was no nursing station provided on the second floor.” That was the precise complaint made by Mr. Soumelidis to Mr. Les Horne and relayed to Mr. Paul Klamer.

The question, again, is why was this information suppressed? Is it going to continue to be the policy of the Ministry of Health to consistently refuse to reveal the results of nursing home inspection reports? Or is the minister going to change the policy and tell the public, openly and honestly, which homes are in violation of the Nursing Homes Act and regulations and which homes have a history of violation of the act and regulations, so that parents, family and relatives of people in nursing homes can take steps to protect them?

Hon. Mr. Grossman: I have previously, and just a moment ago, indicated to the member that we are reviewing all of the circumstances surrounding the history of this nursing home and the information which the nursing home branch had about it.

Second, I have reorganized the inspection branch. That has not yet been completed but there has already been substantial reorganization of that branch, as the member knows.

Third, I would point out that from this day forward we have to move quickly and firmly to make sure these incidents, whether of suppression, misadventure, misfeasance or nonfeasance, do not occur again. Therefore, we have closed Ark Eden.

As the member may recall, two weeks ago, after some five or six years during which St. Raphael's Nursing Home kept us in the courts on a variety of manoeuvres, finally we were able to find a way to resolve that and St. Raphael's Nursing Home is now closed.

Clearly the message is now out that these sorts of circumstances will not be tolerated. The operators are quite aware of that situation. They know that recommendations and requirements my reorganized nursing home branch puts on those nursing homes must be dealt with and dealt with immediately. They also know we are looking at new alternatives to move more quickly in these circumstances so we cannot be held up in the courts, as we have been pre-

viously when we have tried to move in those problem areas.

10:40 a.m.

Finally, the member knows I have already agreed to release nursing home inspection reports. He has the Ark Eden one, which two or three weeks ago he would not have expected to get in accordance with the traditional policy. We are now moving to release them. That will be an important new initiative in forcing operators to comply and in informing parents and relatives of the circumstances in the nursing homes. I think that ought to be done and it will begin to be done in the next few months.

Ms. Copps: Mr. Speaker, I am glad to see the new ministry initiatives but I think it is unfortunate that when we see these kinds of initiatives in the Legislature, it is usually following the death of somebody like Yves Soumelidis.

I am sure the minister has read the brief presented to him by the Concerned Friends of Ontario Citizens in Care Facilities. I think it is their concern and it certainly is ours, relating to the issue of Jimmy Black, that the problems facing Ark Eden Nursing Home have far wider implications than simply a ministry directive to deal with one nursing home.

In the minister's new policy change of publishing inspection summaries, will he pass regulations to make sure each nursing home is required to post the inspection summary that is done by the Ministry of Health, and also that the information is made available to the assessment and placement services that may be available in communities so that parents and families who are placed in the unfortunate situation of having to put a relative in a nursing home will first have access to inspection summaries of all nursing homes in their communities?

Hon. Mr. Grossman: Mr. Speaker, that recommendation seems to be a fairly reasonable one. We may well do it when we have completed our review of the entire area, which will not be too long from now. I have not only read the brief the concerned friends group prepared, but I also met with them for about two hours as we reviewed all their concerns in the broader area.

I also had an opportunity to meet for several hours with the nursing home association and reviewed with it the brief, my personal concerns and the concerns expressed by my opposition critics with regard to the whole area. We have consulted with all the major people in this area who shared our concerns. We have flagged the stepped-up nature of our activities and they can

look forward to some fairly important changes, beginning with the inspection reports and perhaps including the initiative the member has suggested. There are a variety of others I hope to have ready when the Legislature reconvenes.

Mr. McClellan: We actually seem to be making some progress. I think the minister will agree with me that if Mr. John Soumelidis, the father of Yves Soumelidis, had been given honest and accurate information about the conditions that were known to the Ministry of Health in August 1981, he would have taken the necessary steps which might have meant his son would be alive today.

I want to be absolutely sure of the nature of the commitment the minister is making today. Is he saying he will establish on a routine basis an inquiry service in his ministry so any citizen can inquire about any nursing home or home for special care in Ontario and be told honestly and completely whether that nursing home is currently in violation of the Nursing Homes Act or regulations, or if it has any history of violation of that act, and the precise nature of either those current or past violations so parents and friends can take whatever action they need to arrange adequate, decent and humane care for their loved ones?

Hon. Mr. Grossman: All I can assure the member of is that we will attempt to meet the goals he, the Health critic of the Liberal Party and I have talked about in terms of releasing the inspection reports. I am satisfied they will be met.

Whatever the exact form and circulation will be, and whatever things have to be deleted to protect confidentiality, this will have to be done. We are working to achieve that goal and we will share our plans in that area with the member. If they are not satisfactory, we can discuss it further. I believe the member will find them to be satisfactory.

May I take this opportunity to clarify the fact that the inquest was quite thorough. As we discussed at estimates, it is not clear that conclusions such as some people want to draw are entirely fair. There was some contradictory evidence at the inquest. Indeed, the inquest did not find that the death was directly attributable to conditions at the nursing home, to be fair to the operator.

I need not say, after the statement I made this morning on our decision to close down the nursing home, that I have no sympathy for the operator. He had lots of time to rectify the situation. Indeed, I have no sympathy for any

operator who allows and condones conditions such as this in his or her nursing home for an hour, let alone for almost three years.

Although I have no sympathy for him, it is important to clarify that the inquest did not find that those conditions contributed directly to the unfortunate death in this tragic case. None the less, the conditions were, as I have indicated, intolerable and I do believe the form of release of nursing home inspection reports we are proposing will avert any suspicion or appearance to the contrary.

Mr. McClellan: The answer seems to be no.

Hon. Mr. Grossman: The answer is yes.

MISSISSAUGA LAND DEVELOPMENT

Mr. Riddell: Mr. Speaker, the Premier, being on top of all cabinet decisions, can no doubt field this question in the absence of the Chairman of Management Board of Cabinet (Mr. McCague).

The Premier may be aware of the decision of the Ontario Municipal Board around December 24, 1981, that opposed the development of certain lands along the Credit River in Mississauga and supported the area residents, the city of Mississauga, the region of Peel and the Credit Valley Conservation Authority. The OMB stated quite emphatically in its decision: "There is no reason why the subdivision should be permitted, save and except the desire of the proposed developer to develop the property for economic reasons."

Can the Premier explain, not only to this House but also to the people of Mississauga, why the cabinet has now rejected the decision of an impartial body, the OMB, and ordered another costly board hearing into this matter?

Hon. Mr. Davis: Mr. Speaker, I am a little surprised the honourable member himself is raising this question. I would not have been surprised if it were agricultural land, but I guess he has become the artist on this topic for his party.

I would only say to the member that cabinet makes these decisions. It makes them on the best advice and judgement it brings to bear. I have heard the member on other occasions arguing with us that we should alter a decision of the board if it coincides with his own point of view on an issue. I will not go through chapter and verse. These matters are always difficult for cabinet. I have never been comfortable with the process in terms of appeals, but we have not

found a better method of dealing with these issues.

I should also point out that we did not overturn the board in this instance, as the member is well aware. The best judgement we brought to bear as a cabinet was to have the matter reheard.

Mr. Riddell: Considering all the people I have mentioned who do not feel that development should take place, it is rather surprising that cabinet would overturn the decision of an inquiry on the part of the OMB.

Does the Premier agree with the comments of his cabinet colleague the famous member for Mississauga East (Mr. Gregory)—he is not very famous back there, according to an article in the *Toronto Star* headed, "MPP Skips Meeting, Residents Angry"—who stated to the press that the OMB responded to mob rule and reacted to that? Does the Premier agree with this statement?

Does he also believe the OMB bases decisions on the number of individuals who attend a hearing? By any chance, did the member for Mississauga East flex his muscles in cabinet when the OMB decision was being considered? If so, all things considered, would the Premier not feel there was a conflict of interest on the part of the member?

10:50 a.m.

Hon. Mr. Davis: I regret the last part of the honourable member's question. It is unfortunate, but if that is his approach and state of mind I can do nothing about it. The answer to the last part is, of course, no. If the member checks the press carefully he will find that the member for Mississauga East withdrew those remarks as he read them into the record of this House. He will find that, if he looks carefully, which I know he always does, before asking questions of this nature.

I should point out that the cabinet did not overturn the municipal board of this province. It ordered a rehearing of the issue.

Mr. Riddell: In other words, they appealed it.

Hon. Mr. Davis: I wish the member would remember that. I wish he would think back to other issues of a similar nature where these matters have been raised before and where he has taken positions that are somewhat contrary to the point of view he is expressing to the House this morning.

Interjection.

Hon. Mr. Davis: I know the member will always try to preserve food land. I understand that and I respect it. The member may not

always be right, but I respect that point of view. I point out, because this matter has been raised by the member in his own inimitable fashion, that the cabinet of this province made a decision as a group. They are difficult decisions for us. They are made on the best judgement we can bring to bear to maintain the integrity in terms of the function of the board and to maintain equity in terms of property rights of both large groups and of individuals, which the member always mentions on occasion.

In our wisdom—and the member may quarrel with it—we have asked the OMB to rehear this issue; a decision, incidentally, that is not unique. History will record it has worked rather well.

Mr. Swart: Mr. Speaker, is it not true this is part of a conscious policy on the part of the government to back off on the preservation of green belt and prime farm land, as is shown in Niagara where they break the urban boundaries and 65 acres are included without even a hearing, and back off on the preservation of a natural and unique environment like the escarpment, where we see the hearing officers backing down on that?

Is this not part of a conscious policy of the government to back off on all of these things?

Mr. Speaker: I am not sure that is a supplementary, but the Premier may answer it if he wishes.

Hon. Mr. Davis: I would be delighted to answer that question, Mr. Speaker, in that the supplementary is not related to the main question, but he has asked it and it gives me an opportunity to trace some of the history of the policies of this government with respect to the preservation of recreational land.

Interjection.

Hon. Mr. Davis: Perhaps the member has been more consistent in his support; I question it. He has certainly been contradictory, even his party has; certainly the Liberal Party has been, in terms of the escarpment.

Show me another jurisdiction which has had the foresight and the courage to move ahead with plans such as the escarpment and the parkway belt. We have done more in terms of preservation of recreational land here in Ontario than anyone else.

Mr. Martel: The Premier always gets louder when he is in trouble.

Hon. Mr. Davis: The member for Welland-Thorold gives me nearly as many great oppor-

tunities as the member for Sudbury East does. I appreciate it.

Interjections.

Hon. Mr. Davis: The member does not know how much trouble his party is in. He does not know how much trouble he is in. The only sad part is they are in more trouble.

I am somewhat interested in the member's views on that parcel in the peninsula. He knows full well the official plan of the region of Niagara has been a matter of intensive discussion and hearings before the board. He knows people have had an opportunity to comment.

The member does not care that much about the property rights of some individuals as long as it conforms to his theology. His theology always is ahead of the rights of property owners. I understand that.

Mr. Martel: You are just trying to think of things to say.

Hon. Mr. Davis: When the member asks me questions in such a loud voice I reply in kind because I assume he is hard of hearing and I do not want him to miss it.

Mr. Riddell: The supplementary should have been whether you have a set of guidelines on conflict of interest.

Mr. Speaker: Order. The member for Huron-Middlesex has already asked his question. I call on the member for York South with a new question.

DEATHS AT HOSPITAL FOR SICK CHILDREN

Mr. Rae: Mr. Speaker, I would like to ask a question of the Attorney General about the confusion with respect to the deaths at the Hospital for Sick Children. I am sure he will agree the confusion exists, unfortunately, as a result of so many different statements coming from different people involved in the police investigation.

We have a statement from Chief Ackroyd saying: "We do not have sufficient evidence to lay additional charges." That is a quote from the Toronto Star. There was a statement yesterday from Superintendent Bamlett, upon his early retirement, that the investigation was completed. There was an indication from the Attorney General yesterday that the investigation is still continuing and has not yet been completed.

I would like to ask the Attorney General two things. First, can he explain why Superintendent Bamlett appears to have left the investigation before it was completed? Alternatively, can he

explain why Chief Ackroyd seems to feel the investigation has, in some sense, been completed but there is not sufficient evidence to lay charges? Can he clear the air on that? I am sure he will agree the number of conflicting statements that have been made is adding to the confusion in this area.

Hon. Mr. McMurtry: Mr. Speaker, I have not spoken directly with Chief Ackroyd about this matter within the past few days so I am unable to comment today on the statements that are attributed to him in one of Toronto's newspapers. But I can assure the member that what I stated yesterday was accurate in that the investigation has not been completed.

I believe the crown law officer from the local crown attorney's office who is most directly involved in the investigation, Mr. Jerry Wiley, was quoted in the press today as stating most emphatically the investigation had not been concluded.

I have reason to believe, as I suggested yesterday, that the investigation will be concluded in the relatively near future. I think it should be completed within the next couple of weeks, barring unexpected developments. I regret the confusion that does appear to exist but I can assure the leader of the New Democratic Party on the best possible information I have that the investigation has not been concluded.

I will be making a statement on the report from the Centers for Disease Control in Atlanta on Monday. I had hoped it might have been ready for today but unfortunately it was not. However, I will be making a statement in the House on Monday.

Mr. Rae: I would like to get a clear commitment from the Attorney General, if I may, in this regard. Can he assure the House that if there are no criminal charges laid as a result of the very lengthy police investigation and if there are no criminal charges laid as a result of the Atlanta inquiry, he will call a public inquiry in order to clear the air? Will he do this in order to restore full public confidence in this most important institution in our province?

11 a.m.

Hon. Mr. McMurtry: All I can do is repeat what I said yesterday: that should the investigation be concluded without any additional criminal charges being laid then of course the option of a public inquiry would have to be very seriously considered by this government. I am not in a position to bind the government in this

respect. This is a decision that would have to be made by the cabinet.

Ms. Copps: Mr. Speaker, does the minister not think the confusion of the last 24 hours surrounding this issue has been important enough for him to have been in touch personally with the Metropolitan Toronto police department?

Yesterday he said in the House "if criminal charges are laid"—not "when criminal charges are laid or criminal charges are pending." Would he not agree his comments seem to indicate a backpedalling in his position? Would they not indicate perhaps there may be no criminal charges laid in the future, a position slightly different from that which he has taken in this House on previous occasions? Would the minister confirm that?

Hon. Mr. McMurtry: There is absolutely nothing contradictory or inconsistent with any of the statements I have made in this matter. I simply do not have anything further to say about it at this time.

HAWKER SIDDELEY

Mr. Hennessy: Mr. Speaker, I wish to direct my question to the Minister of Transportation and Communications. Has the minister any additional information regarding the bid by Hawker Siddeley of Thunder Bay to build 130 subway cars for Houston? And is the minister prepared to look further into this matter, where the second-lowest bidder, who was \$29 million higher, received a \$139 million contract for subway cars for Houston?

I think it is a little bit out of line. If you are lowest you are supposed to get the contract. In the meantime they come up with some excuse that there was no contract available for reasons I do not know. I would like the minister to be kind enough to look into this matter and perhaps answer some of the questions the people in Thunder Bay want to know about.

Hon. Mr. Snow: Mr. Speaker, I am fairly familiar with the situation in Houston, and I am sure we are all very disappointed that Hawker Siddeley was not the successful bidder for that contract. The firm was without a doubt the low bidder. I was delighted a month or so ago when I got the news that Hawker was the low bidder at about \$110 million US, which is roughly \$130 million or \$135 million Canadian for 135 cars—about \$1 million per subway car. That obviously would have meant a great deal of employment and work for the Hawker Siddeley plant.

I understand Metropolitan Toronto wanted

to order a smaller number of subway cars, and it was to be hoped these could have been built at the same time—which also would have been helpful to Thunder Bay. I was very disappointed to hear that the bid had been rejected. The bid is dead now, to my knowledge; I do not think anything can be done to revive it. The bid was rejected because it was not in accordance with the specifications. I really am very surprised that Hawker Siddeley would submit a bid that did not meet the specifications of the customer.

It is the same as when you want to buy a new car and you say you want a red car with blue carpet: that is what you want; you do not want what the dealer decides you should have. There were a number of different parts of the specifications, I understand, where they did not bid on what was requested and in accordance with tendering procedures. Perhaps the Houston people felt they had no alternative but to reject the bid.

Certainly it was not rejected in any way on the basis of the ability of Hawker Siddeley to build cars or the quality of the product. Hawker Siddeley has an excellent reputation in that field. They just did not bid in accordance with the specifications.

Mr. Van Horne: I understand the Minister of Industry and Trade (Mr. Walker) indicated a week ago he would be talking to officials in Houston on this same situation. Now I understand something a little bit different from the Minister of Transportation and Communications who has indicated the situation is closed. Could the minister tell us if the efforts of the Minister of Industry and Trade fell on deaf ears, or if any further negotiation is possible?

Hon. Mr. Snow: I understand from the minister he agreed to something like that three days ago. I also know the federal Minister of Industry, Trade and Commerce, the federal Minister of International Trade and the Canadian ambassador to the United States have been contacted on this matter to see if they can be of some assistance. I understand they have all stated there is nothing further they can do. The bid has been denied and the contract is being awarded to the Japanese firm of Hitachi.

Mr. Foulds: Could the minister tell us on what evidence or information he is basing his answer when he indicates Hawker Siddeley did not bid to the specifications asked for by the transit authority? Is it not usual to have some negotiations on those specifications? Can the minister also tell us whether, in his opinion, the loss of

this contract now jeopardizes Hawker Siddeley's chances for the Toronto transit contract, as would appear from his first answer? If so, will he make every effort to make sure that is not the case?

Hon. Mr. Snow: I have not reviewed personally the bid documents. In a contract such as this, if the documents and specifications were piled one on top of the other, they would be some 15 inches in height. It is my understanding it was strictly a tender job. Sometimes when a purchaser calls for a proposal on a project there is some room for negotiation on the specifications. However, when one calls for a specific tender, as in my own ministry when we call for tenders on a new bridge or a new highway, if a bidder puts in a tender with conditions in it that do not meet the specifications, our own tender office rejects the tender on that basis.

The member asked for a specific instance. I believe there was more than one, but the one I have been told about was in regard to the air conditioning of the cars. I believe the tender called for the cars to have an air-conditioning system capable of handling the temperature that could be expected in Houston, which would only be normal. It is my understanding that temperature often reaches 105 or 110 degrees there during the summer months. I am told the bid put in by Hawker Siddeley said its cars were air-conditioned to a temperature of 90 to 95 degrees, considerably less than what was called for. So the air-conditioning system did not meet the specifications. That is an example.

With regard to the Toronto subway cars, I hope some arrangement can be made for that work to be placed with Hawker Siddeley, but I cannot give the member a guaranteed assurance of that.

TOXIC CHEMICAL RESEARCH

Mr. Haggerty: Mr. Speaker, my question is directed to the Minister of the Environment. Is the minister aware of the new development in research for neutralizing low-level toxic chemicals by environmental scientists at Occidental Chemical Corp.? They have developed a process for rearranging bacterial molecular structure. This rearranging process has developed a superior strain of chemical-eating bacteria which they call superbugs. This has taken place at the Hyde Park landfill site in Niagara Falls, New York. Occidental considers the superbug a more efficient way of eliminating toxic chemicals.

11:10 a.m.

Has the Ministry of the Environment or the Ontario Waste Management Corp. done any research in this area or considered joint research with American scientists to improve safe, reliable measures to dispose of toxic chemicals?

Hon. Mr. Norton: Mr. Speaker, I was not aware of the work that is apparently under way in the United States flowing from the experience with the bacteria at the Hyde Park landfill site.

I thank the honourable member for forwarding some information to me on this subject. I certainly will discuss it with staff. I cannot say with any degree of certainty at this point whether the staff of the ministry are aware of this ongoing research or not, but I will certainly follow up on it with them and provide the member with information on whatever they might have.

PETITION

REGULATION OF KICKBOXING

Mr. Breithaupt: Mr. Speaker, I have a petition in response to the statement to ban the events of kickboxing and full contact karate made by the Minister of Consumer and Commercial Relations (Mr. Elgie) on February 15.

While there was some expectation of gathering up to 2,000 names over some time, in just one day the petition gathered 4,838 names, the first of which is that of Mayor Al Gleason of London.

The petition prays three items for relief and requests: first, to remove the three-month ban on both professional and amateur kickboxing and full contact karate; second, to review the aforesaid sports over the course of the next three months, or such greater length of time as may be necessary, with a committee of professionals composed of the individuals appointed as well as someone who knows about kickboxing; and third, to mandate the committee to suggest regulation of the aforesaid sports with a view towards safety measures, training, medical standards, equipment, financing, rules and records.

LITHUANIAN AND ESTONIAN FREEDOM CELEBRATION

Mr. Shymko: On a point of privilege, Mr. Speaker: I wish to bring to the attention of honourable members that throughout this week and next week Canadians of Lithuanian and Estonian origin are celebrating the 65th anniversary of the proclamation of the independence of their respective peoples.

I know that many members have been invited to their festivities. I would like to highlight this today by saying that in 1918, after the dissolution of the czarist empire, these proclamations were made on February 16 and 24, respectively. As members know, after a brief two decades the Nazi-Soviet pact of 1940 crushed their liberties through Soviet occupation followed by Nazi occupation. Therefore the symbol of freedom, justice and peace these proclamations symbolize is being marked this week and next. Members would certainly be welcome to attend these festivities.

Mr. Ruprecht: Mr. Speaker, on behalf of our party I would like to join with the member for High Park-Swansea in his remarks about the Lithuanian freedom celebrations that are taking place this weekend.

Each one of us is invited to the flag-raising ceremonies that will take place at Toronto city hall on Saturday at 12:30 p.m. and I think all of us can add to these very important festivities. They honour the fact that 65 years ago the Lithuanian people and all the Baltic states, including Estonia and Latvia, were moving towards the freedom and dignity of their peoples. Our party wants to associate itself with the remarks just made.

Mr. Rae: Mr. Speaker, on behalf of my party I want to share in the remarks that were made by the member for High Park-Swansea with respect to the 65th anniversary of the freedom and independence of the peoples of Lithuania and Estonia. I also would like to indicate to the House just how strong a value we in our party place on the values of freedom and liberty. Perhaps we should remember too that it was social democrats who suffered along with those nationalists who still suffer in the Soviet Union from the impact of Soviet totalitarianism and dictatorship.

Interjections.

Mr. Speaker: Order.

Mr. Rae: It is a very sad day in this Legislature when in a sense we have to commemorate that in the way we do, with all the freedom, with all the ripostes and back-and-forth we associate with a free assembly here in Ontario. We know full well there are people in those countries who would dearly love to have the freedom, the liberty and the ability to speak up and speak out that we have so proudly in this province and in this country. In that sense, I want to associate myself with the remarks made by the member for High Park-Swansea.

POWER SHUTDOWN IN LEGISLATIVE BUILDING

Hon. Mr. Wiseman: Mr. Speaker, I just want to inform you and other members of the House and the other users of this building that tomorrow there will be a full power shutdown in this building from 8 a.m. till 4:30 p.m. In case any of the members or their staff want to work in here there will be no hydro.

This shutdown will give us a chance to test our standby diesel generators, which were damaged during the explosion. I ask members to please inform their staff. I have asked our people to let all the caucuses know there will be no hydro from 8 till 4:30 tomorrow.

ORDERS OF THE DAY

House in committee of the whole.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

(continued)

Resuming the adjourned consideration of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

On section 6:

The Deputy Chairman: Continuing the debate on the amendment that has been moved by the Minister of Education (Miss Stephenson) to subsection 6(4). Are we ready for the vote on this? Is there a reason for more debate? I see the member for Downsview (Mr. Di Santo) wishes to speak.

An hon. member: The member for Parkdale (Mr. Ruprecht) adjourned the debate.

The Deputy Chairman: It does not matter. We are in committee. I did not see the member. Would the member for Downsview allow the member for Parkdale to continue?

Mr. Di Santo: Mr. Chairman, in view of the fact that I agree with—

Hon. Miss Stephenson: Mr. Chairman, in actual fact I had the floor when the House adjourned.

Interjections.

The Deputy Chairman: If the minister had the floor and if all members will allow the minister to go first, we will have a new rotation. We are in committee. I can recognize whomever. If you will allow the minister to respond it would be very appropriate. Thank you. With your permission, the minister will respond. I do not need to ask her to speak to the bill.

Hon. Miss Stephenson: No sir, I shall speak to the amendment.

The Deputy Chairman: The amendment. Thank you.

Hon. Miss Stephenson: I shall make every attempt to speak only to the amendment, unlike my colleagues who, last night, indulged in second reading debate of the bill rather than addressing the amendment. We have already had, I think, more than 10 hours of second reading debate. We have had nine hours of so-called debate on this amendment. Surely, it is time we all recognized that arguments being put are merely multiple repetitions of what has been said before.

11:20 a.m.

Yesterday afternoon and last night some things were said which I think should be clarified. It is apparent—and I find it somewhat appalling—that the mind-set of members within this chamber is such that the concept of quality of educational program and efficiency, economy and, indeed, prudence in spending are mutually exclusive.

I do not believe that is so. It becomes a little distressing to hear honourable members in this chamber suggest that elected members of boards of education are not to be trusted to carry out their primary responsibility—which is, of course, the delivery of educational program to children.

It is our joint responsibility, the responsibility of all of those involved in the school system, to ensure the maintenance of the appropriate range and scope of educational program; but all the support for that educational program and all the funds that provide the vehicle which allows it to flow are provided by the taxpayers of Ontario.

I think it appropriate that boards of education, as well as others involved in education, recognize there is a joint responsibility to deliver the best quality and the widest range of educational opportunity for all children. They also have a responsibility to recognize there is not an unlimited amount of money available in any jurisdiction for the provision of those programs.

I believe most members of boards of education and most school trustees recognize and are sensitive to that joint responsibility. Their primary concern is always with the quality and range of educational program, and I believe firmly that will remain uppermost in their minds. I believe it will, despite the fact that, for the very first time in the structure of Metropolitan Toronto, this amendment suggests it is

reasonable to consider carefully the possibility of prudent spending.

I really believe prudent spending is an appropriate mind-set for those who are involved in any expenditure of public funds. I do not believe thrift is a dirty, five-letter Anglo-Saxon word, as it would seem to be expressed by certain members of this House.

The amendment which is here is very much in line with what was in the bill originally. I would like the members to know—

Mr. Van Horne: Mr. Speaker, on a point of order—

Hon. Miss Stephenson: I did not count. It is a six-letter word.

Mr. Van Horne: I was about to point out to the minister that her arithmetic and spelling were both a little shaky.

Hon. Miss Stephenson: The member was slow.

I would like them to know the definition in this amendment of the way in which surplus may be distributed is akin to the concept embodied in the bill as it was originally placed before the Legislature. It is interesting to note a vote was taken by all the representatives of the boards to the Metropolitan Toronto School Board on June 15. All the representatives, including the seven trustees representing the Toronto board, supported this surplus statement and the intent and concept of this—

Mr. Grande: Why did you change your mind?

Mr. Bradley: Why did you change your mind in committee?

Hon. Miss Stephenson: It was simply the fact the member was being terribly obstructive and was attempting to say we could not do this.

After obtaining this information and determining—I am sorry, Mr. Chairman, I have not intentionally misled the House but I have not included one important item. One representative of the Toronto Board of Education voted against it; all the other members, including the other six members from Toronto, voted for it. The one member who voted against it was, of course, Mr. Robert Spencer.

In addition, all those trustees voted for the deficit provision, which is the next clause within this section. What has happened is that, in examining the content of the deficit clause, it became apparent it would be much more appropriate to have this same kind of responsibility and balancing related to surplus as was included and passed within the deficit clause.

Therefore we introduced the amendment

that it be modified to ensure that the boards receive at least as much but not more than what they had established as a surplus. It also would ensure that all the boards together, in their capacity as members of the Metropolitan Toronto School Board, would develop guidelines to help them make the appropriate decisions about the distribution beyond that amount engendered as a result of the levy within that local jurisdiction. Those principles do obtain for the deficit provision as well.

Since September there have been a number of meetings; stimulated, I suppose, by Ministry of Education staff but certainly carried out totally and jointly among all the boards of education and the Metropolitan Toronto School Board. Those guidelines have been laid out and have been agreed to by the members represented on the Metropolitan Toronto School Board, including the representatives of the borough of York.

We have a letter from the chairman of the York Board of Education declaiming clearly that it is now in full support of the concept of the bill, that its reservations regarding the surplus deficit provisions have been almost totally removed. The board wants to see it in action before the reservations are all gone, but it approves of the guidelines and participated in the process.

Therefore, with the full support of all those boards, and with the support of those trustees who are going to be charged with the responsibility and affected by it, I think it behooves the members of this House to approve the amendment that has been introduced. It will ensure there are reasonable guidelines provided for the division of the amount that is between the level collected at the local area jurisdiction and the total amount of the surplus.

The current state of the member's amendment would ensure that if the Toronto Board of Education were to develop a surplus of, say, \$1 million, it would receive 39.5 per cent of that. If the borough of York managed to engender a surplus it would receive something in the order of 13 per cent of that surplus, and in the borough of East York seven per cent. Surely that can be construed as less than reasonably encouraging to them to practise the whole concept of prudent spending and I believe—

Mr. Grande: It is called cutbacks.

Hon. Miss Stephenson: The member for Oakwood continually uses the word "cutbacks." I remind him that the amount of money that has been delivered by the province in support of

education has increased by more than 226 per cent in the last 10 years. If that is a cutback, then show me what an increase is.

The words used by the members have been very misleading—

Mr. Foulds: On a point of order—

Hon. Miss Stephenson: I said "the words have been misleading" and that, I believe, is parliamentary.

The Deputy Chairman: Order.

Hon. Miss Stephenson: They certainly have been less than factually correct. The statements made by the member for Parkdale were in such flights of paroxysmal, psychotic hyperbole that I really wondered what on earth he was doing.

11:30 a.m.

I was also fascinated by the peripheral pontification of the member for Kitchener-Wilmot (Mr. Sweeney). He was more enthusiastic last night than he was during the leadership race. What was it he was trying to sell—the fact the Christian schools are not funded? Is that what his main message was? That is what I heard. It had nothing to do with this amendment, absolutely nothing; but it was fascinating to watch.

I have been delighted by the thespian activities of the member for York South (Mr. Rae), and I must admit I was enchanted from time to time, but only rarely, by the acrobatic and articulate stage presence of the member for Renfrew North (Mr. Conway) who also did not speak to the amendment; but then, he was not supposed to.

There is good rationale for this amendment. It is indeed the amendment which is perceived to be appropriate by all the boards involved, including the city of Toronto, in this area of management of surplus and deficit. I believe we owe it to those local members to understand that they perceive this as appropriate, and to recognize that they have not only some honour and purpose, they also have integrity. I do not believe we should be denying that. Therefore, after nine and a half hours of debate on this amendment, anything more will be total repetition. Could I suggest strongly that the honourable members consider voting on the amendment at this point?

Mr. Di Santo: Is the minister calling the question?

Hon. Miss Stephenson: No, I am not.

The Deputy Chairman: Do members wish to take the vote on this? I recognize—

Mr. Breaugh: No.

The Deputy Chairman: Do I see other members who want to speak to the motion? The chair is eager to move forward to the other parts of the bill, knowing the desire of all members to proceed.

Mr. Ruprecht: As soon as they put the light on.

The Deputy Chairman: Order. The member for Parkdale, although it will be very difficult to be heard.

Mr. Breaugh: Yeah, there is somebody yelling "Order" in here all the time, so we can hardly hear.

Mr. Ruprecht: Yes, I know, Mr. Chairman, but I must go on record, as probably other members will, about the remarks just made by the minister. Even though I found her remarks quite funny, the record must be set straight.

First, she said the reason she had changed her mind in committee was that the other parties were obstructionist and nothing would move. There is nothing—

Hon. Miss Stephenson: That is not what I said. The member does not listen.

Mr. Ruprecht: That is precisely what she said. She said they were obstructionist. That is the word she used. I heard it, everyone else heard it. She said that is the reason she changed her mind. The point was that—

Mr. Bradley: That is right.

The Deputy Chairman: Order.

Mr. Bradley: Don't interject, let him talk.

Mr. Ruprecht: Maybe she does not know what she is saying.

Hon. Miss Stephenson: Oh, yes, I do.

Mr. Ruprecht: The point is, I have never seen a more co-operative meeting on that specific subject. She had agreed with it. Perhaps now she will say that because we are obstructionist at this point she may even withdraw the whole bill. If that is what we have to do, then that would be a most welcome situation. We could show some backbone and tell her to withdraw, and she might.

Hon. Miss Stephenson: Don't hold your breath, Tony.

Mr. Ruprecht: Let me get back to the second point she made. I have heard the words efficiency, streamlining, prudent spending and thrift before. What they indicate is a mind-set and a clash between two philosophies in this section of surpluses and deficits.

On one hand, there is the philosophy of thrift,

prudent spending, efficiency and streamlining, which she has indicated. But that is really regressive saving. It is the King Midas mentality. It is an idea—

Hon. Miss Stephenson: What? The member's mythology is off.

Mr. Ruprecht: No, it is not; it is that very mentality. It means that the trustees were entrusted—in fact, the minister is entrusted with the responsibility to look towards the future. But no, in this instance the opposite is taking place. She is not looking towards the future. She is regressing. She is cutting off. She is cutting out certain funds. I would even say, to permit me another flight of fancy, she is strangling—

Hon. Miss Stephenson: We are not cutting off anything.

Mr. Ruprecht: Yes, she is.

Hon. Miss Stephenson: We are not cutting anything. Nothing.

Mr. Ruprecht: We agree. You are accusing the member for Oakwood (Mr. Grande) of always talking about cutbacks—

Hon. Miss Stephenson: Mr. Chairman—

The Deputy Chairman: Can the minister respond to your point? Then you can continue.

Hon. Miss Stephenson: Mr. Chairman, the member is incorrect. There is nothing in this bill that cuts off anything; nothing. The provisions of this bill assign responsibility, but they do not cut funding. Therefore, it is quite inaccurate to say that is the direction of the bill.

Mr. Ruprecht: Mr. Chairman, I think that is terrific but, in the very specific point, it really goes to the very historical relationship in Metropolitan Toronto. Namely, in the past we have had sharing; we shared when North York and Scarborough were building schools. Obviously, some of the money came from Toronto and in the future—

Hon. Miss Stephenson: It also came from the rest of the province.

Mr. Ruprecht: Of course. In the future, that will no longer be a possibility. The reverse might be true. But now, because of the very special needs, which we have indicated again and again, the reverse will now no longer be true. If the minister examines the figures—

Hon. Miss Stephenson: Mr. Chairman, on a point of order: this bill has nothing to do with the construction of schools. That is an entirely different matter and is not addressed, in any

way, in Bill 127. The honourable member is quite out of order in even suggesting that.

Mr. Ruprecht: How can she say this? The point surely is, and the minister would agree, that in the past when Scarborough and other places were building schools, there was a certain sharing taking place. Is that not true? There was sharing within Metropolitan Toronto.

Hon. Miss Stephenson: That is in the capital area. That is not in this area.

Mr. Ruprecht: Of course, that is in the past. I am saying now this sharing can no longer take place, because the minister is saying, under this specific—

Hon. Miss Stephenson: May I correct the honourable member?

The Deputy Chairman: He has asked a question.

Hon. Miss Stephenson: He has asked a question, therefore I shall answer it.

There are two budgetary items related to the provision of educational programs. One is the capital area and that is not a part of Bill 127 for Metropolitan Toronto. It is apart and separate from this which relates to the operating funds for school boards. Therefore the whole matter of construction of schools has no relationship at all to this bill or to the matters about which we are having discussion.

Mr. Ruprecht: With respect, Mr. Chairman, of course the honourable minister did not want to point out that the sharing which has taken place in the past, in terms of surpluses and deficits, will no longer take place. She has to understand that. That is the very function of this specific section 6(4).

Hon. Miss Stephenson: This is what the Toronto trustees want.

Mr. Ruprecht: She surely understands that once this bill is passed and is implemented, this can no longer take place. The surpluses cannot be shared and deficits cannot be shared. This means that she is cutting off any sharing that can take place such as did in the past. She understands that, so I do not know why she keeps objecting to it. This is a fact.

Hon. Miss Stephenson: Because we are not talking about a capital budget.

Mr. Ruprecht: The point here really is the recognition that, just as new schools were needed in the past, there are special needs now in the city of Toronto. Those needs can no longer be shared among the school boards. I am saying that what took place in terms of building schools and capital projects, that money came

from Toronto as well as from other places in Ontario, but now the needs are shifting and she knows they are shifting. When the new needs are being established in the city of Toronto, what the minister wants to do is to really cut off funding. That is what the member for Oakwood is continually saying and that is what we are continually saying.

Hon. Miss Stephenson: He is wrong too and so are you.

Mr. Ruprecht: It is clear to us that what the minister is doing by this surgery is she is saying that no longer can we, in the city of Toronto, share with the rest of the boroughs. That is what she is doing with this bill and that is why we strenuously object.

What she further does not want to admit are the special needs in the city of Toronto. She should admit that. There are special needs. That is why special funding is required. That is why sharing should continue and that is precisely what she wants to cut off. If she gets up and says that is not the case, then I do not know to whom I am speaking.

I was just addressing myself really to the clash between two—in this specific section, for that matter—major philosophies in our educational system. The minister's philosophy, obviously backed by some members of her party, comes under what she said about efficiency, prudent spending and thrift. I said earlier that was regressive.

Let us look at the other basic philosophy of surpluses and deficits which must be opposed to this specific section. It must be opposed because it would cut out the basic leveller of equality of education.

11:40 a.m.

The Deputy Chairman: I am concerned the honourable member is going off the motion as it is now. As the motion is put it deals with surpluses. In a certain sense, I have also given you latitude and there is repetition creeping into your presentation. With all due respect, I ask the honourable member to direct his—

Mr. Ruprecht: I appreciate your remarks, Mr. Chairman, but the point must be made as to what would happen if this section is passed. That is the connection. Something significant will happen.

A big shift is taking place here in education policy. We have to admit that. The big shift is the clash between those two kinds of attitudes. When this takes place, the basic equality of

education which ties in with the needs of the city of Toronto will be destroyed.

There are many people in the city of Toronto, more than in the boroughs, who have special needs and in future they will no longer be competitive. If we cut off this leveller of equality of education and these special programs, how in the world are those students in Toronto who need special programs such as English as a second language, reading difficulties and so on, going to be able to compete in the real world with those students who do not have those needs and come from other parts of Metropolitan Toronto? How will they be able to compete?

Could the minister tell me how they are going to be able to compete when they come here with special needs? They cannot really speak or write English and they need special programs. What the minister is doing is cutting out the basic leveller of equality. How are they going to compete? That is what we are asking for. We are asking for equality and quality of education and with this bill some of these programs will be cut.

The minister knows this is true. The result will be that the kids who are here will not be able to be in a competitive position in future to compete with other people from other school boards. She knows that is true.

The Deputy Chairman: The honourable member is now truly repeating himself.

Mr. Ruprecht: No, I am not.

The Deputy Chairman: The chair has been patient but the chair is losing its sense of patience; speak to the motion.

Mr. Ruprecht: Mr. Chairman, what has to take place here is the minister is empowered—

The Deputy Chairman: I am going to recognize another member shortly if the honourable member continues on that point. He has made a point and there are other people who want to speak. The member for Downsview was gracious in allowing him to have the floor and he is ready to speak.

Mr. Ruprecht: Mr. Chairman, on a point of order: The member for Downsview was not gracious in giving me the floor. You have mistaken that. I was speaking last night and therefore, I should have the right to continue speaking.

Mr. Di Santo: Mr. Chairman, on a point of order: I do not know what you are reading in my mind, but I am more than glad to listen to my friend the member for Parkdale.

The Deputy Chairman: That is fine but I will

make sure the honourable members who participate in this debate speak to the motion or they will be cut off.

Mr. Foulds: That was extremely gracious and courteous of my colleague.

The Deputy Chairman: There is courtesy all over the place at times.

Mr. Ruprecht: I would expect the same courtesy from the chair so I could continue from last night.

The minister is empowered with the responsibility to do all she can in terms of equality of education, especially across the metropolitan area. She is not expanding educational needs. She has to admit that. She is contracting education in the city of Toronto with this bill. This specific section of surpluses is contracting educational possibilities—

The Deputy Chairman: I am now cutting off the member for Parkdale. You will resume your seat. I have given you several opportunities to speak to the motion without being repetitious. I have now taken it as far as I can. You will resume your seat, and I will recognize another honourable member. Because this is in committee, you will be allowed an opportunity to rise again and speak, but I am saying that at the present time you are not adding to the debate.

The member for Downsview.

Mr. Di Santo: Mr. Chairman, I regret that you—

Mr. Ruprecht: Mr. Chairman, on a point of order.

The Deputy Chairman: Is this a point of order? The member for Parkdale.

Mr. Ruprecht: Mr. Chairman, I know you have not given me any choice here but to challenge the chair. I wish to continue with my remarks.

The Deputy Chairman: The honourable member cannot challenge the chair; you challenge the House, and there is a procedure for that.

I had recognized the member for Downsview. I will give you an opportunity to speak again, but as you were proceeding I was not prepared to allow you to continue with the repetition and being off the subject. You may speak again; and if you want to challenge the House, you may.

Mr. Di Santo: Mr. Chairman, I regret that you cut off the member for Parkdale, because even though you had some questions about the clarity of his argument, I certainly agree with the thrust of what he said last night and what he has been saying today.

Let me set the record straight. The amendment we are discussing is to subsection 6(4) of the act, which read originally:

"Where the estimates for public elementary or for secondary school purposes of a board of education in the Metropolitan area that are approved in whole or in part by the school board have been reduced in accordance with clause 133(1)(b) by the application of a surplus, the school board shall, except where it considers that the surplus is attributable to the provision of moneys pursuant to clause 133(9)(b), reduce the apportionment for public elementary or secondary school purposes, as the case may be, to the area municipality in which the board of education has jurisdiction by an amount that, in the opinion of the school board"—note this, Mr. Chairman—"is equal to the portion of the surplus that was raised by local taxation in the area municipality."

The amendment introduced by the minister reads as follows:

"I move that subsection 127(4) of the act, as set out in subsection 6(2) of the bill, be amended by striking out 'an amount that, in the opinion of the school board, is equal to the portion of the surplus that was raised by local taxation in the area municipality' in the 10th, 11th and 12th lines, and inserting in lieu thereof 'an amount that does not exceed the amount of the surplus, and in determining the amount of the reduction in the apportionment the school board shall give consideration to the circumstances that, in the opinion of the school board, contributed to the size of the surplus.'"

We all understand the amendment we are discussing. In fact, when the minister, who has left the chamber, rose at the beginning of today's session, she said in her unmistakably clear language that what the government is substituting is "surplus" instead of "deficit." I hope the member for Parkdale listens carefully so that when he rises again he will address the amendment more effectively.

My colleague the member for Oakwood has maintained since the beginning, when Bill 127 was introduced, during the hearings in committee and during the debate on this amendment, that the higher the surplus the lower the service.

I am also sorry that the member for Wilson Heights (Mr. Rotenberg) is not present, because he is so querulous and interjects continuously, even though he does not understand the subject matter we are discussing.

Mr. Jones: Oh, yes he does.

Mr. Di Santo: Who said "Yes"?

Mr. Jones: I say he does.

Mr. Di Santo: The member for Mississauga North (Mr. Jones) is rarely present, and even when he is present physically he rarely contributes to the debate on this bill.

Interjections.

Mr. Di Santo: By the way, it is also important for the implication it has for Mississauga. Last week one of the trustees of the Peel Board of Education said on television that in Mississauga Bill 127 is already in place. He said he was making decisions related to the city of Orangeville on issues he was completely unaware of. I would bring to the attention of the member for Mississauga North that if he listens carefully to the arguments we are making he could learn something for the riding he represents.

Mr. Jones: Most of our trustees have the capacity to deal with those issues. We know all about our system. We know all about our trustees, and they do not have a problem.

An hon. member: Is he on the amendment?

Mr. Chairman: I was wondering if the member for Downsview was on the amendment. The member for Port Arthur—as much as I value his judgement—

Mr. Foulds: Yes, he is. He is speaking directly to the amendment.

Mr. Di Santo: I am certainly speaking to the amendment, Mr. Chairman.

Mr. Jones: He is taking a few cheap shots.

Mr. Breaugh: It struck me he was straight on.

Mr. Chairman: You I will not even acknowledge.

Mr. Di Santo: At the outset I explained quite clearly—

Mr. Chairman: I listened closely on my speaker in the office, I appreciate that.

Mr. Di Santo: You were listening to the interjections, that were quite uncalled for; that is why you probably missed my original remarks.

The reason we are so concerned with this amendment is that the minister, by references to the use of surplus, is in effect reducing the ability of the board to provide those services. In many instances the boards are subjected to external pressures. If the minister tells us that thrift is a virtue, I wonder why thrift should be a virtue only when applied to education and when it is applied to those sectors of the population I represent in the west end of Toronto and which the minister does not. Perhaps that is one of the reasons she is so unfamiliar with it. By introducing the concept of surplus, the minister is

applying a pressure on those boards to base their programs on a reduction of allotment of money rather than expanding the money according to the needs of the students in our school system.

I am talking to the amendment; you realize that, Mr. Chairman. I am glad you understand what we are saying.

I want to mention just one example. This is a brief that was presented to the standing committee on general government on Bill 127 last summer by Intercomm Parents of North York. Intercomm Parents, while conveying to the committee their opposition to Bill 127, made some important considerations. They said:

"After considering the bill, we were left with little assurance that the staffing of schools in North York would be maintained at a level equal to the program needs of the children in North York.

"Our specific concerns are centred on: staffing for our special needs program,"—the amendment we are discussing on surplus deals exactly with this type of program—"a program designed to bring about effective educational service delivery in our city's 13 inner-city schools—five of these schools are located in the Jane and Finch area where Intercomm is based." I think the minister knows that area only by name, because I have seen her in that part of the city only once since I was elected to this Legislature in 1975. I have never seen the minister west of Yonge Street except once in 1977 when we were together at a reception in the Finch and Islington area.

The second point the group made concerned "staffing for the implementation of the procedures developed in North York to meet the requirements of Bill 82"—on special education—"staffing of regular classroom programs in our community." This point is directly related to the amendment we are discussing, the surplus and the thrift the minister wants to introduce in the schools, which will affect the poor section of North York.

Quoting from the brief: "When the board adopted the special needs program in 1981, we took this as evidence that the system, at last, was prepared to respond positively to its local communities and to maintain the kind of productive relationship which would foster development of sincere community schools. It was with considerable alarm that we listened while the same board of trustees in 1982 voted not to implement the second phase of the program, as they had originally agreed, their explanation

being that under the pressure of external formulae and conditions imposed by Metro and the province, they had been left without the funds to run a program which, even then, they maintain was of fundamental importance."

This is the crux of what we are discussing. It is not a matter of being thrifty. The problem is, if the government is inducing the board to save money, if it is not allowing the board to expand its deficit, this type of program is directly affected.

The brief goes on to say: "On the matter of Bill 82 implementation, it was again with alarm that Intercomm discovered, as we worked with the board, that 7,000—"I want you to note this figure, Mr. Chairman—"children in the city of North York considered exceptional and in need of special education programs were not being serviced."

The minister says our position is appalling, that we are obstructing the due course of a piece of legislation that is only opposed by us. During the last few days, and they will be here next week as well, we have seen hundreds of people in the galleries, not only teachers who may be considered to have a vested interest in opposing this bill, but also parents. The other night I saw 20 parents of Greek origin who were in this Legislature for the first time. They came to express their disapproval of Bill 127.

Mr. Chairman: Speaking to the amendment.

Mr. Di Santo: Of course, Mr. Chairman.

Mr. Breaugh: I think they wanted to express disfavour with the amendment.

Mr. Chairman: The member for Oshawa will have an opportunity to speak in this debate in the fullness of time.

Mr. Di Santo: I am responding directly to the remarks made by the minister, Mr. Chairman, when, unfortunately, you were not in the chair.

Mr. Chairman: Keep your remarks to the amendment. Never mind what the minister has to say.

Mr. Di Santo: It is really fundamental. If we want to understand the amendment to section 6, we have to put it in the framework of Bill 127, because in my opinion this is one of the most crucial sections of the bill. If the amendment passes as the minister says, then the whole concept of autonomy and self-determination crumbles. This is the reason I was responding to the minister.

12 noon

The minister says she finds it appalling that we are obstructing this bill when we should be helping the enlightened Minister of Education, who sanctimoniously considers herself to be always right in whatever she says. She said the concept of efficiency and quality of education are not mutually incompatible.

Mr. Chairman, I want your co-operation because we have been trying to debate this concept for the last nine hours and the minister does not want to understand. In my opinion, we make a compelling case that the quality of education cannot be developed enough in the absence of adequate funding. We know what the tendencies of the school boards in Metropolitan Toronto are and we know what happened in North York last year. This has nothing to do with Bill 127—

Mr. Chairman: You admit that, do you?

Mr. Di Santo: Yes, but under this amendment we are talking about external pressures that can be exerted on the boards so that they can have no flexibility in adopting the concept of surpluses that the government has introduced with this amendment.

Last year the North York Board of Education, because of the political mixture in that board—a Conservative majority before the last election, with some strange Liberals who did not even listen to their colleagues in Queen's Park and voted in favour of the bill even as recently as January when the new board, under pressure from the parents, teachers and interested groups in North York, was called to reconsider the previous position it took. It was very interesting that only nine trustees voted in favour of maintaining the position they had taken last year and eight trustees voted to reverse the position, including Mrs. Elizabeth Smith, a ward 3 trustee. She is a card-carrying Conservative and is seeking the nomination for the riding of York Centre. She sent a letter to the committee—

Mr. Chairman: On this amendment?

Mr. Di Santo: Mr. Chairman, I want to remind you that the Intercomm parents group spoke directly of Bill 82, the special needs education and the fact that the board—if I may have your attention, Mr. Chairman, it is a logical concatenation and you will understand why I am talking about Mrs. Elizabeth Smith.

The Intercomm group presented the brief on children with special needs and said the board had discontinued the second phase of the program because of external formulas and the conditions imposed by Metro and the province.

If this amendment is passed, this will become the pattern and all those programs that are mostly needed in areas like the one I represent will be totally jeopardized because all the boards will be induced to save money instead of looking at the needs of the children.

Elizabeth Smith, the trustee for ward 3 in North York, which represents the area of Jane and Finch which I was discussing before—and I am saying this in the context of the amendment—wrote a letter saying: "This will serve to acknowledge that after extensive consultation with my constituents"—constituents, not only teachers—"and after learning of their strong opposition to Bill 127, I am prepared to withdraw my support for the said bill which I had registered when the matter came up for vote before the board of education for the city of North York."

Mr. Grande: One of the many Tory trustees.

Mr. Di Santo: This is a Tory trustee on the North York Board of Education. Can you imagine, Mr. Chairman, if we pass the amendment to section 6 introduced by the minister? This trustee was here sitting on this side of the House every night, testifying her opposition to the bill and to section 6 of the bill.

Last night she was sitting right here, and I personally gave her a pass. Despite the attempts of the member for Wilson Heights, who tried to persuade her to sit on the side of the government benches, Mrs. Smith said, "No, I want to oppose section 6 of the bill, and I want my opposition to be seen by the teachers and the parents who are sitting in the galleries."

The minister can say as long as she wants that with the amendment to section 6 she is promoting efficiency while not jeopardizing the quality of education. That is not true. We know this is the result of a philosophy that is disappearing in the world. It started with Margaret Thatcher, who has so many qualities in common with the present Minister of Education, including inflexibility and metaphysical righteousness. Even President Reagan, who was the major promoter of this approach, is now changing his tune because times are changing. We are now in such an economic depression because of this approach.

The Minister of Education, despite the negative experience we have been going through, wants to introduce belatedly with section 6 a concept that will not work. She knows very well that if we want to develop a society in which all citizens can produce and give their best, we have to give them an opportunity to get a level of education that will prepare them to work in a society that is quickly evolving.

By cutting funds, by inducing them to be thrifty, as the minister put it before, we go back to a situation where only those who have the means can afford to have education and those who do not have the means, those who have emotional problems, those who have learning disabilities, will be slowly streamed out of the system.

I remember 10 years ago—and this is the real thrust of this section of the bill and of the amendment the minister is introducing—and the Minister of Education was at that time playing other games; she was not probably—

Hon. Miss Stephenson: And so were you.

12:10 p.m.

Mr. Di Santo: I was not playing other games 10 years ago. In fact, there is evidence. I contributed to a book called *Must Education Fail?* in which we were addressing this very problem. I was as much interested in education 10 years ago as I am now.

Ten years ago, we were faced in Metropolitan Toronto with a different type of problem, the problem of vocational schools. Unfortunately, we have been under this government for 40 years and at that time we had the same response and the same approach, that it is not the fault of the school system. "Thrifty" was not the word then; "big" was beautiful. The Premier (Mr. Davis) was building bigger schools all over the province because "big" was the password.

We were faced with an increasing number of children, mostly of working class and immigrant families, who were being channelled into vocational schools. We had to fight a very hard battle. I remember a beautiful brief presented by the Parkview Secondary School Community Council in November 1971, "Downtown kids are not dumb, they need a better program." Then, as now, we were faced with the same problem.

The government was trying to discriminate. With this amendment, the government is trying to tell the boards of education not to spend money on those children who are not bright enough or who come from families that are not adaptable to the system. Money is to be saved on them.

On this side of the House, we are saying we have to look at the needs. The financing of the needs must be the result of ascertaining what kinds of needs we are dealing with. The minister wants to institute the opposite process. With this amendment the minister is saying: "We will set the rules and a ceiling. Beyond that ceiling,

whoever cannot be served is damned, no matter what the needs are."

Hon. Miss Stephenson: Mr. Chairman, on a point of order: On at least three or four occasions in this House I have heard that it is improper to impute motives. Not only is it improper to impute motives, but it is certainly improper to impute motives that have no basis anywhere in either fact or history.

Mr. Chairman: So there.

Mr. Di Santo: What was the point of order?

Mr. Chairman: That you were imputing motives.

Mr. Di Santo: That was a delightful outburst from the minister, but it was not a point of order. I am not imputing motives.

Hon. Miss Stephenson: Yes you are, and you have been.

Mr. Di Santo: I am outrightly accusing the minister of trying to change the system by inducing the boards to save money instead of serving the needs of our students in the school system.

I said before, because of some chemical combination or metaphysical or theological virtue, the minister is always right, but she never explains why she is right. When she tried to explain the amendment at the beginning, she said she thinks efficiency and quality of education are not mutually incompatible. I am telling her that is exactly the case. I want to give another example—

Interjection.

Mr. Di Santo: I am ready to yield the floor to the minister if she wants to clarify what she said before.

I want to give the minister an example of how local needs cannot be served properly if we pass this amendment. We have an organization in my riding and in Yorkview that is located in the Downsview school. It has been in operation for a while now. The objective of this organization, which is a very small group, is:

"To provide a remedial treatment environment for children aged four to seven years who are suffering from emotional and behavioural difficulties. Emphasis will be placed on children from immigrant families.

"To keep children within the educational system in regular classes and help them overcome their emotional and behavioural difficulties through the interaction of the child with the family, the school system and the staff consul-

tant working together for the benefit of the child.

"To provide a healthy emotional environment for children to encourage development of their fullest potential; to provide opportunities for creative play and self-expression; to support families in their difficulties with child-rearing; to provide a liaison between the home and the school."

This organization, which has been in existence since 1965, is now in a situation where it cannot continue to operate because the North York Board of Education, which has been contributing somehow with a grant, has come to the determination that because of the cutbacks and restraints it cannot fund this organization any longer.

If this amendment is implemented, this type of organization will be in even more difficulty, because the word that is coming from the minister through the Metropolitan board to the school boards, where we know there is not always a majority of trustees who are perceptive, open-minded and progressive, is that these are the very programs that will be cut without appeal. These are the programs that are directed to marginal groups, which usually have very little clout. Therefore, if this trend prevails, we know it will bring about a deterioration in the quality of education in the school system of Metropolitan Toronto.

That is quite the opposite of what the government wants to do. This is why I was saying at the beginning, and I want to repeat now, it is not possible for the minister to say we can have efficiency and quality of education at the same time, which means that we can cut the funds and have the same level of education. That is nonsense.

The minister said we have to do that because this amendment, in her words, is a suggestion to consider prudent spending because—and this is the line always used by this government—"this is money provided by the taxpayers."

12:20 p.m.

She also said the government has increased its contribution to education in the province by 226 per cent in the last 10 years. Probably the minister does not remember that from 1975, when she and I were elected—I think the chairman was elected too that year—until 1982, the portion of the grants the province has contributed towards the school system has decreased from 61 per cent of the financing to 50.08 per cent.

What are the results of this decrease in the

financial contribution from the government? The local school boards, struggling to keep the same level of education, have been forced to increase property taxes by an incredible amount. We know in Metropolitan Toronto it is not only the matter of the assessment but also the percentage of increase of the property taxes that has gone up so much in the last years that it has become totally intolerable.

That says nothing about the inequity of the property tax system in Metropolitan Toronto. We know very well that in North York, for instance, the portion of property tax that goes towards education is now in the range of 55 to 57 per cent of the total bill. We consider that property taxes are totally unrelated to the incomes of the citizens who contribute their taxes. We know this is totally inequitable. For the minister to come to us today and tell us the amendment to section 6 of the bill tries to protect the taxpayers is preposterous.

If there is anybody in this province who is hitting the taxpayers through property taxes year after year it is this government. As my friend the member for Oakwood has repeated time and again, in the seven years from 1975 to 1982 it has decreased its contribution from 61 to 50.08 per cent. The minister cannot come to us and tell us we are obstructing the bill and that by debating the amendment to section 6 of the act we are committing some kind of an incredible crime. She is forgetting completely what has actually happened in Metropolitan Toronto.

When the member for Parkdale (Mr. Ruprecht)—and I would like to call for his attention—was talking on the amendment to section 6 of the act, he mentioned that this bill had to do with construction of schools. The minister immediately jumped to her feet, saying, "This bill has nothing to do with construction of schools." That is true. That is probably the only right thing she has said today. But what she failed to say was that if this amendment is passed we will see more school closures. That is the real problem.

In North York, 34 schools are on the critical list of schools with 100 or fewer students. I want to read all of their names into the record. They are: Ancaster school, with 132 students; Anthony school, 96 students; Appian school, 133 students; Baycrest—

Mr. Chairman: I do not think it is necessary to read all the schools.

Mr. Di Santo: Mr. Chairman—

Mr. Chairman: No. I am not going to listen to

that. You have given an indication of a number of schools which may be closing. I do not think you have to read all those schools that you think are going to be closed.

Mr. Di Santo: I respect your opinion, Mr. Chairman, but I do not think you can prevent me from mentioning the schools which are in my riding, because they are—

Mr. Chairman: Sure I can. The member has to be speaking to the amendment.

Mr. Di Santo: —affecting my constituents. I want to tell the assembly—

Mr. Chairman: You have to be speaking to the amendment.

Mr. Di Santo: —what will happen to those schools if the amendment to section 6 is passed. Ancaster, with 132 students; Anthony with 96 students—

Mr. Chairman: How many schools have you got there?

Mr. Di Santo: Mr. Chairman, I want to mention the—

Mr. Chairman: I am getting a little nervous that you are just trying to drag this out. You are being repetitive.

Mr. Di Santo: I am not repetitive.

Mr. Gillies: They are different schools, Mr. Chairman.

Mr. Breaugh: That is right. Even the government back-benchers agree they are all different schools.

Mr. Chairman: The member for Brantford (Mr. Gillies) has indicated they are different schools.

Mr. Di Santo: With all due respect, this is the first time I have raised the point of school closures. I think you should allow me to speak briefly about the school closures under this amendment to the bill. I want to relate to you an episode that happened, which was extremely painful. Last week, there were several meetings in North York with the trustees of the North York Board of Education concerning what now seems to be the fashion there, the consolidation of schools.

I will not read the list of the schools. I just want to say there are two schools right now, Spenvally school, which is north of Sheppard and Jane, and Calico school. Both schools, right now, are shared by the separate school board and by the North York Board of Education.

Because of the financial system and the restraints imposed on the North York board,

there is now a process of consolidation. I want you to understand what this means, Mr. Chairman, because it is very important and it relates very much to removing the deficit concept and replacing it with a surplus—the idea of thrift the minister was talking about, which is the hub of the amendment.

The consolidation of the schools means they want to keep the separate school students in one school, Spenvally, and send the public school students to Calico school, which in effect means that some students—and this is an elementary school—in winter will be forced to walk more than a mile and a half.

This is a total subversion of the concept of wider education the minister is so proudly talking about. The educational system, as we understand it, is a service to cater to citizens' needs. In this case, because of the policies of the government and especially if the amendment to section 6 is passed, the citizens will be forced to adapt themselves to an abstract surplus formula the minister wants to introduce.

Students between the ages of six and seven will be forced to walk a mile because the schools will no longer be in the community. The school system will no longer be responding to the needs of the population; rather the population will be forced to adapt itself to the needs of a school system that is imposed by this government. It will be imposed by the Metro school board and other school boards that will be induced to save money.

12:30 p.m.

This is very much the thrust of what we have been saying. We are not saying it to be obstructive, as the minister keeps repeating. She does not have a monopoly on truth or on righteousness. We vehemently oppose this amendment and we will speak at length against it. We want the Minister of Education and the Minister of Environment (Mr. Norton), who quite improperly interjects—last night he interjected continuously—to understand that this bill and this amendment are wrong.

Mr. Chairman: At this time I would like to bring to members' attention that we have had more than 20 speakers on this one amendment alone and more than 10 hours of debate. As chairman of the committee of the whole House I am seriously considering putting the question to this amendment. I would entertain some points of order to that consideration.

Mr. McClellan: I have an amendment to the amendment.

Mr. Chairman: I would like to bring to the honourable member's attention that he has already spoken. He had the opportunity. Notwithstanding, he can still bring forward the amendment at another time.

I would like to entertain points of order.

Mr. McClellan: Sorry. I will speak to a point of order.

Mr. Chairman: Speaking to the point of order.

Mr. McClellan: Mr. Chairman, I gather you are talking about calling the question on the amendment to subsection 6(4) of the bill—that is, the amendment of the Minister of Education. I have a subamendment to the minister's amendment.

Mr. Chairman: I am not recognizing the subamendment.

Mr. Breaugh: How do you not recognize a subamendment?

Mr. McClellan: On what basis, sir, do you refuse to accept the subamendment?

Mr. Chairman: On the basis that you cannot amend the amendment. I have indicated very clearly that I am in the position of calling the question on this amendment and I would ask clearly for points of order in consideration of myself calling the question.

Mr. McClellan: I am curious about how you deviate from our traditional practices. Are you saying it is out of order to move a subamendment to an amendment?

Mr. Cassidy: On a point of order, Mr. Chairman: If I understand what is being proposed here, it is absolutely unprecedented in terms of my experience in this House, which goes back to 1971. There is a procedure within the rules by which any member of the House can move the previous question. That has been done by members from more than one party over the course of the last 11 or 12 years.

It has not been the practice in this House for the chair to decide on its own initiative actually to call the question when members indicate they wish to continue to speak. The termination of debate has occurred either by agreement between the parties or when there were no further speakers or under certain circumstances where the minister has the last word, as in the second reading or third reading debate on a bill or on concurrence. It seems to me that to call the question, as you have done, is not within the normal practice of this House. I would strongly

suggest this be left to the normal practices of the House and not done in the way you seem to be trying to proceed.

Mr. McClellan: Mr. Chairman, may I have an answer to the question I put to you as to whether you are ruling a subamendment—

Mr. Chairman: I called you out of order in terms of your amendment to the amendment.

Mr. McClellan: On what basis?

Mr. Chairman: On the basis that the committee of the whole House was considering the amendment; I clearly indicated I was about to call the question on the amendment.

Mr. Breaugh: Mr. Chairman—

Mr. Chairman: Before I recognize the member for Oshawa, which I will do, I would like to recognize the member for Brant-Oxford-Norfolk.

Mr. Nixon: Mr. Chairman, on the point of order: I have to agree with the comments made by the member for Ottawa Centre (Mr. Cassidy). While I admire the aggressiveness and, perhaps, the intuitiveness with which you perform your duties in the chair, I think you are perhaps stepping a bit beyond your responsibilities when you decide the debate has been completed.

It would certainly be your responsibility to bring a member to order if he were being needlessly repetitive or was straying from the subject of the amendment. From time to time, you have done that with some success, and sometimes not with success. For example, if my colleague the member for Parkdale (Mr. Ruprecht) is standing in his place and wants to debate the bill further, that is an indication the debate has not been completed.

I would further suggest there is a procedure in our rules to let you end the debate, but that is an initiative taken by a member of the assembly itself.

Once again, I admire your initiative in this connection but I feel it is not appropriate, and not according to our customs and usage. On that basis I would suggest to you, sir, the initiative to end the debate lies with the members of the House when no other member rises in order, or a member does rise and places a motion which would, if successful, terminate the debate.

Mr. Breaugh: Mr. Chairman, I am a little confused as to what you have just done. I am even more confused as to what basis you used for doing so. It is my understanding, and you may correct me if I am wrong, that we are in

committee of the whole House and that there are speakers who are waiting to speak on a particular amendment. I find no precedent, certainly nothing in the standing orders, which would allow the chair to intervene. There are places in the standing orders where a member may move to do that under standing order 36.

I want you to try to deal with the question put to you by the member for Bellwoods (Mr. McClellan). It seems to me we are debating an amendment in committee. A member rose to put an amendment to the amendment. According to our standing orders it seems clear to me that is perfectly in order. While the chair may feel a little tired with the debate on the previous amendment, there is absolutely nothing in anyone's precedent, Erskine May notwithstanding, or in the standing orders which would prevent any member in committee of the whole House from moving an amendment to an amendment.

I noted, too, that you did not hear the motion the member wanted to put. Perhaps we might find a bit of a precedent here if you had the courtesy to listen to the motion and then, for some great technical reason or otherwise, decide the motion was out of order. I would concede that might happen, but I cannot conceive how you could do that without even listening to what he has to say.

I would argue that as the first order of business now you have an obligation to provide to the member for Bellwoods the reason you are refusing to hear his motion. According to everything I have read in the standing orders, Erskine May, Beauchesne and everywhere else, it is perfectly in order. You ruled him out of order before he even had a chance to put the motion. That is discourteous, to be polite about it, and quite wrong in parliamentary terms.

I am interested in the basis of this ruling. Why cannot the member for Bellwoods get a ruling? It seems to me you owe him that much. He has a right to put forward his motion and, subsequent to that, you can decide whether it is in order, out of order or whatever. I do think you owe this House an explanation for what I take it has not yet become an ironclad ruling. I would like to hear a little about what precedents you are quoting, what standing orders you are operating under or what particular rule of gang law we are functioning under these days. Would you do that?

Mr. Chairman: In the normal course of rotation, I was thinking in terms of recognizing the official opposition prior—

Interjection.

Mr. Chairman: Wait a minute; I am responding to the member for Oshawa. I was thinking of recognizing the official opposition before recognizing the member for Bellwoods on putting the amendment. He had jumped up and put his amendment, as it were.

12:40 p.m.

Mr. McClellan: I regard that as an acceptable ruling. I understand the order of rotation will be going this way next—not that way.

Speaking to your basic question though which was whether or not—

Mr. Chairman: I am wondering if we might indicate, in rotation, any member of the government who wishes to speak to the point of order? No there is not? Then the member for Bellwoods.

Mr. McClellan: Mr. Chairman—this will only take 30 seconds—on the question you have put to us as to whether the question on 6(4) should be called now, I think the answer is self-evidently no. The minister has not had an opportunity to speak in this debate. I am aware that at least two of my colleagues—

Hon. Miss Stephenson: Oh, yes I have.

Mr. Breaugh: She did speak.

Mr. McClellan: I hear her being very vehement about wanting to put her own views on the record—perhaps I am wrong. I know there are colleagues in my own caucus who have indicated a desire to speak.

The point the member for Brant-Oxford-Norfolk made is the correct one. If you feel any individual member is going on in a way you do not approve of there are ways and means in the standing orders for you to deal with that individual member. However it is much beyond your powers to decide the debate is over. If somebody wants to decide the debate is over there are other remedies that should be taken and the initiative should be taken by people other than yourself.

Mr. Chairman: I have considered the input from all honourable members which I appreciate very much. Speaking to the amendment, the Minister of Education.

Hon. Miss Stephenson: Mr. Chairman, we have heard points of view which have been lengthy and we have heard the same point of view presented on several occasions. One also has to consider there must be some finality to this whole debate. Under section 36 of the rules

of this House, I move that the previous question be now put.

1:02 p.m.

The committee divided on Hon. Miss Stephenson's motion that the question be now put, which was agreed to on the following vote:

Ayes 58; nays 32.

The committee divided on Hon. Miss Stephenson's motion that section 6 should stand as part of the bill, which was agreed to on the following vote:

Ayes 58; nays 32.

On motion by Hon. Mr. Wells, the committee reported progress.

Hon. Mr. Wells: Mr. Speaker, as I indicated last night, we are announcing the business day by day. The order that will be called for Monday afternoon and evening will be a continuation of committee of the whole House discussion of Bill 127.

The House adjourned at 1:06 p.m.

CONTENTS

Friday, February 18, 1983

Statements by the ministry

Grossman, Hon. L. S., Minister of Health:

Ark Eden Nursing Home. 7787

Timbrell, Hon. D. R., Minister of Agriculture and Food:

Grain elevator storage. 7787

Oral questions

Ashe, Hon. G. L., Minister of Revenue:

Municipal assessments, Mr. Peterson. 7790

Davis, Hon. W. G., Premier:

Mississauga land development, Mr. Riddell, Mr. Swart. 7794

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:

Regulation of trust companies, Mr. Peterson, Mr. Renwick. 7788

Grossman, Hon. L. S., Minister of Health:

Ark Eden Nursing Home, Mr. McClellan, Ms. Copps. 7792

McMurtry, Hon. R. R., Attorney General:

Deaths at Hospital for Sick Children, Mr. Rae, Ms. Copps. 7796

Norton, Hon. K. C., Minister of the Environment:

Toxic chemical research, Mr. Haggerty. 7798

Ramsay, Hon. R. H., Minister of Labour:

Industrial accident compensation, Mr. Rae, Mr. Kerrio, Mr. Di Santo. 7790

Snow, Hon. J. W., Minister of Transportation and Communications:

Hawker Siddeley, Mr. Hennessy, Mr. Van Horne, Mr. Foulds. 7797

Petition

Regulation of kickboxing, Mr. Breithaupt, tabled. 7798

Committee of the whole House

Municipality of Metropolitan Toronto Amendment Act, Bill 127, Miss Stephenson, Mr.

Ruprecht, Mr. Di Santo, Mr. Cassidy, Mr. Nixon, Mr. Breaugh, Mr. McClellan,
adjourned. 7799

Other business

Lithuanian and Estonian freedom celebration, Mr. Shymko, Mr. Ruprecht, Mr. Rae. 7798

Power shutdown in Legislative Building, Mr. Wiseman. 7799

Adjournment. 7813

SPEAKERS IN THIS ISSUE

Ashe, Hon. G. L., Minister of Revenue (Durham West PC)
Bradley, J. J. (St. Catharines L)
Breaugh, M. J. (Oshawa NDP)
Breithaupt, J. R. (Kitchener L)
Cassidy, M. (Ottawa Centre NDP)
Copp, S. M. (Hamilton Centre L)
Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
Cureatz, S. L., Deputy Speaker and Chairman (Durham East PC)
Davis, Hon. W. G., Premier (Brampton PC)
Di Santo, O. (Downsview NDP)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
Foulds, J. F. (Port Arthur NDP)
Gillies, P. A. (Brantford PC)
Grande, T. (Oakwood NDP)
Grossman, Hon. L. S., Minister of Health (St. Andrew-St. Patrick PC)
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Hennessy, M. (Fort William PC)
Jones, T. (Mississauga North PC)
Kerrio, V. G. (Niagara Falls L)
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McClellan, R. A. (Bellwoods NDP)
McMurtry, Hon. R. R., Attorney General (Eglinton PC)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Norton, Hon. K. C., Minister of the Environment (Kingston and the Islands PC)
Peterson, D. R. (London Centre L)
Rae, R. K. (York South NDP)
Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)
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Van Horne, R. G. (London North L)
Wiseman, Hon. D. J., Minister of Government Services (Lanark PC)



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Second Session, Thirty-Second Parliament

Monday, February 21, 1983

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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LEGISLATURE OF ONTARIO

Monday, February 21, 1983

The House met at 2 p.m.

Prayers.

MEMBERS' PRIVILEGES

Mr. Rae: On a point of order, Mr. Speaker: I want to raise a point that I believe reflects seriously on the respect that members of the government pay to this Legislature.

The House and the Speaker will know that on Thursday and Friday—I might add, well after leaders' questions were over—the Attorney General (Mr. McMurtry) entered the Legislature and I addressed questions to him with respect to the events at the Hospital for Sick Children, the reports that were available to him and the government's intentions with respect to those reports.

The Attorney General answered those questions on Thursday and Friday by indicating he would be making a statement to the Legislature on Monday with respect to the report by the Centers for Disease Control in Atlanta, and he did not choose to elaborate in any way, shape or form on that report in answer to questions that were raised in the House on Thursday and Friday.

On leaving the Legislature on Friday, the Attorney General gave information to the press with respect to the contents of that report, which was then publicized in all the papers in many press reports. Subsequent to that time, I understand according to the Toronto Sun on Sunday, a member of the ministry staff—Mr. Allen, I believe, according to the story in the Sun—gave additional information with respect to the study by the Centers for Disease Control in Atlanta.

Today in the Toronto Star we have additional reports from the ministry with respect to information on the disease control study that was supposed to have been confidential and was supposed to have been revealed in its impact in the Legislature today.

The reason I am raising this is that I believe it reflects on the attitude of the Attorney General and of his ministry to this Legislature and to the legislative process. The Attorney General made it clear he would be making a statement in this Legislature. It is nothing short of disgraceful

that he chose, by dribs and drabs, to release information to the media over the weekend that he was unprepared and unwilling to give to this Legislature on Friday.

I do not know whether that is a point of order or not, but it is a point of view and one that will be widely shared by members with regard to the kind of respect being shown by the Attorney General towards this Legislature and the legislative process.

Mr. Speaker: As you suspected, it is not a point of order. However, it is a matter which has been raised before and, if nothing else, it is discourteous but nothing more. It has not breached any privileges of the House.

STATEMENTS BY THE MINISTRY

DEATHS AT HOSPITAL FOR SICK CHILDREN

Hon. Mr. McMurtry: Mr. Speaker, as I indicated in the Legislature last week, I have a statement regarding the Hospital for Sick Children.

Mr. Martel: Mr. Speaker, if the Attorney General could make sure copies were being delivered, it would be helpful.

Mr. Speaker: Are copies of the statement available?

Mr. Martel: Just now.

Hon. Mr. McMurtry: My colleague the Minister of Health (Mr. Grossman) also has a statement in relation to this report.

Both statements are in regard to the report of the Centers for Disease Control in Atlanta, Georgia. The report was commissioned under the Public Hospitals Act and was requested by the hospital administration. Terms of reference for the study included a review of the mortality rate at the hospital, the pattern of the deaths and the relation to the use of the drug digoxin, any relationship between the use of digoxin and how excess amounts of it were administered.

As well as exploring those matters, the centre made recommendations regarding hospital procedures. The report was presented to the Ministry of Health and was turned over to my ministry on February 16.

My initial review of the report makes it very apparent to me that publication of all of its findings at this time could jeopardize the police investigation which is now in its final stages. Furthermore, publication of the report as a whole might be unfair to those referred to directly and indirectly in the report.

This is particularly so since no decision has been made as to whether or not any criminal proceedings will be instituted as a result of the police investigation and because the report contains analysis, comments and observations about the conduct of certain personnel at the hospital that may or may not be admissible in any future civil, criminal or other proceedings.

Some of the conclusions expressed could undoubtedly lead to adverse inferences being drawn against certain individuals. In my view, this should not be done without affording those individuals the rights that would be available to them in a court or other properly constituted proceeding. However, I believe it is appropriate for me to mention two of the conclusions the study has reached.

The first conclusion is that there was a definite increase in the mortality rates of infants in the cardiology ward of the hospital and in one unit in particular, beginning in July 1980.

Second, the report confirms the conclusions of the police investigation that a number of the deaths in the hospital between July 1980 and March 1981 were as a result of digoxin overdoses.

In its recommendations the report states: "The epidemic clearly ended in March 1981. If it is decided, as the evidence suggests, that the increased occurrence of death from July 1980 through March 1981 resulted from purposeful intravenous overdoses of digoxin on wards 4A and B, then it remains to be decided whether there is sufficient evidence to identify the perpetrator. This matter rests with the law enforcement authorities."

2:10 p.m.

Although it would not be appropriate at this time to speak of precise details, I feel I can advise members that the combined investigations of the police and the centre indicate that of 36 ward-associated deaths which occurred during the epidemic period, there are 28 deaths for which the findings regarding the cause of death are not inconsistent with digoxin overdose.

In seven of these cases, there is significant scientific evidence that death was caused by a deliberate overdose of digoxin. Of these seven deaths, three were the subject of the charges

which were found to be murders by the preliminary hearing judge.

The fourth charge which was before the court concerned the death of Janice Estrella. Because of certain scientific evidence which came to the attention of investigators subsequent to the preliminary hearing, it is apparently difficult to accurately interpret the amount of digoxin in the post-mortem sample. The centre concluded, however, that other findings concerning this death are not inconsistent with digoxin overdose.

Officials of my ministry and of the Ministry of Health are determining how appropriate portions of the report may be made available to the hospital and the public without undermining the integrity of the police investigation, and without unfairly affecting the rights of those referred to in it.

At the present time, recommendations which impact directly on patient care or safety have been transmitted to the hospital in order that the hospital may review them along with the recommendations in the report of Mr. Justice Dubin.

Finally, I want to make a couple of observations and a commitment to this Legislature and through this Legislature to the public. First, it is important to keep in mind that we, the government, the investigators and the hospital, are dealing with an extraordinary series of events, a tragedy which all of us have difficulty even comprehending. It is, therefore, totally understandable that the public and the media have a number of ongoing concerns. It is particularly understandable that the parents of the children involved have become frustrated at the lack of a comprehensive explanation so far.

I want to stress to them and to the public generally that every conceivable lead is being followed by the police and by the experts the government has engaged to assist them. I repeat that no decision has yet been made as to whether charges should be laid. If criminal charges are not laid, I will be recommending to the cabinet that further action be taken. This would probably include a public hearing through either an inquest, a judicial inquiry or a royal commission. Whatever the format, we as a government are committed to providing the fullest possible accounting of the events and circumstance that led to this tragedy.

Hon. Mr. Grossman: Mr. Speaker, as the Attorney General (Mr. McMurtry) has pointed out, the epidemiological study was carried out under the auspices of my ministry for reasons of protocol, but the report deals substantially with

matters which are still the subject of the ongoing criminal investigation. However, the specific recommendations of the team which conducted the study apply in their entirety to procedures which impact on patient care and safety in the hospital.

The Attorney General has advised me that he does not believe publication of the recommendations will impinge on the criminal investigation. We agree, therefore, that these recommendations should be shared with the hospital as part of the government's commitment to do everything possible to ensure the safety of all patients entrusted to the care of this outstanding hospital.

I have already sent a copy of the recommendations to the chairman of the board of the hospital and I now wish to table these for the information of the public as well. Members will see that the recommendations deal primarily with the issues of medication and the surveillance of mortality patterns, which have also been dealt with very extensively by Mr. Justice Dubin and his associates in their report.

I also wish to draw attention particularly to the observation of the four epidemiologists that the spate of unusual deaths, which they technically termed an "epidemic," ended in March 1981, a point the Attorney General and I have both stressed on a number of occasions.

Together with the observations of Mr. Justice Dubin's report that "the Hospital for Sick Children has earned an international reputation for the quality of services provided to its patients" and "we are all satisfied that it is still deserving of that reputation and the complete confidence of the public," this is most reassuring.

There are minor variations in the approaches in the recommendations of the two reports. However, they do not affect the substance of the changes which we endorse. I have asked Mr. Gordon, the chairman of the board of trustees, to advise me of the steps the hospital would propose to take to reconcile the variations.

Finally, I would like to express the thanks of all of us to the Centers for Disease Control in Atlanta for their co-operation and for assigning two most excellent epidemiologists, Dr. Heath and Dr. Beuler, to this very onerous and complex assignment. We are also very grateful to Dr. Evelyn Wallace, a federal government epidemiologist, and Dr. Lesbia Smith of our own ministry who together constituted the entire team.

Dr. Heath has told us they received excellent and unstinted co-operation whenever they sought

it. I believe this reflects the commitment of the entire community to ensure that the standards of excellence are maintained and reinforced at the Hospital for Sick Children, which remains one of our most precious health care resources.

HERITAGE DAY

Mr. Peterson: Mr. Speaker, on a point of privilege: Today is a very important day and, in our view, it is an occasion to be celebrated. Special occasions such as this cause us to reflect upon past pleasures, triumphs and accomplishments. They also revive our pride in our achievements.

This day of reflection and celebration also serves to reassure us that we have the talents, skills and abilities to move confidently into the future and build upon the past, which we shall in our turn pass along to our next generation.

Therefore, I would ask the members of this House to join with me in recognizing February 21, 1983, as Heritage Day and to congratulate all of those who have worked so hard to make this day an occasion of importance and pride.

ORAL QUESTIONS

DEATHS AT HOSPITAL FOR SICK CHILDREN

Mr. Peterson: Mr. Speaker, I have a question for the Attorney General arising out of his statement and the statement of the Minister of Health (Mr. Grossman) today.

Can the minister explain to this House why charges were laid so very quickly almost two years ago and yet now we are in a position, two years after the fact, with a number of thoughtful studies that do not give the Attorney General the ability to make any indication whether or not charges will be laid in these circumstances? What does that speak to in his judgement?

Hon. Mr. McMurtry: Mr. Speaker, I am not sure I fully appreciate or understand the question, but I do recognize there has been a great deal of controversy in relation to the laying of charges. Indeed, this is reflected in the fact that Susan Nelles has commenced civil proceedings against the police and my ministry. This is obviously going to continue to be the subject of some degree of debate.

I have my own personal views, which I will have the opportunity of expressing at the appropriate time, in relation to the allegation made that the police acted with an undue degree of haste. At this point I do not agree with those observations. Given the fact that this will be the

subject matter of some of the litigation, I do not think I really want to debate the merits of the civil litigation in this Legislature, nor do I think for a moment that the Leader of the Opposition would ask me to do so.

2:20 p.m.

I want to make very clear this is not to reflect adversely on any one individual, let alone the accused who was discharged at the preliminary inquiry, but I must remind the Leader of the Opposition it is a fact, as the Minister of Health just said, that the epidemic of deaths ended coincidentally with the police involvement, decisions and initiatives in this investigation which are now in question. Of course, there could be many explanations for that, not necessarily related to the guilt or innocence of any particular person.

As people continue to debate the role of the police, I think one should not lose sight of that fact. I am not by any means suggesting that ends the matter. I assume this will continue to be the subject of some controversy, litigation and who knows what.

I should also like to remind the Leader of the Opposition there can be no doubt this has to have been one of the most difficult and complex investigations ever entered into by any police force probably anywhere in the world.

When one looks at the study from Atlanta and the deaths that were investigated, which it obviously feels were worthy of investigation and which the police felt were worthy of investigation, there is a remarkable consistency between the police department's approach to the investigation and what the scientists at the Centers for Disease Control have believed to be worthy of investigation. I think that is relevant to the role of the police in this matter. Beyond that, I do not think it would be appropriate for me to say anything further.

Mr. Peterson: It is clear that even after all these studies, the Attorney General is unable to shed much new light on this subject, which is a source of great anguish and concern to a number of people.

As the leader of the New Democratic Party (Mr. Rae) pointed out in his point of privilege today, it has been disconcerting to a number of us who are seeking the truth in this matter, such as parents, legislators and a variety of other people, that the truth, if it is the truth, should be sneaking out in dribs and drabs through various sources, press reports and a variety of other ways over the past little while.

For example, I point out the Toronto Star on February 17 quotes Mr. Bamlett as saying, "The investigation has gone as far as it can go and now the only thing left is a decision on what course is followed here." I point to the Toronto Star of February 18 which, quoting the chief of police as I understand it, said, "There is not enough evidence to lay additional charges."

The Attorney General will recognize that the reports he has today probably will be used in their full detail in court if there is a prosecution. Ultimately, these things have to be made public. Why has he been so parsimonious in the information he has shared with the parents, with the hospital and, indeed, with us? Why can he not reveal all the details of that report at the present time so the various bodies who are concerned about this can make their own determinations?

Hon. Mr. McMurtry: Obviously, I regret some statements were attributed to the Metropolitan Toronto Police and senior members thereof that unfortunately were simply inaccurate. I am sure the Leader of the Opposition appreciates the need for anybody in my position to be extremely careful as to what I say about any ongoing investigation that could lead, obviously, to serious charges against one or more people.

For us to be discussing the investigation, as he apparently would like us to be discussing it on a week-by-week basis, demonstrates to me a shocking lack of understanding of the criminal justice system of this country and what is generally regarded as crucial and traditional safeguards. That is a shocking lack of understanding as to how the criminal justice system works.

Mr. Rae: Mr. Speaker, given the remarks the Attorney General has just made in his answer to the leader of the Liberal Party, can he explain why certain information with respect to this report was released in dribs and drabs by him and his staff to the press over the weekend instead of being told in the Legislature?

Hon. Mr. McMurtry: Mr. Speaker, I disagree with the comment that dribs and drabs were released. It is just not factual.

Ms. Copps: Mr. Speaker, the Attorney General has made the following statement in this Legislature, and this is very important: "In seven of these cases"—including three that were in the preliminary hearing into the case of Susan Nelles—"there is significant scientific evidence that death was caused by a deliberate overdose of digoxin." That is the statement from the Attorney General.

At the same time, bearing in mind that we are then looking at seven murders among the potential that have been studied by the police for almost two years, the Centers for Disease Control in Atlanta state in the few recommendations that have been tabled in the Legislature:

"The epidemic clearly ended in March 1981. If it is decided, as the evidence suggests, that the increased occurrence of deaths from July 1980 through March 1981 resulted from purposeful intravenous overdoses of digoxin on wards 4A and B, then it remains to be decided whether there is sufficient evidence to identify the perpetrator. This matter rests with the law enforcement authorities."

What new information have the law enforcement authorities—who as late as last week told us they had no new information to contribute; in fact, the only thing they were awaiting was the report from Atlanta—tabled with the minister or with the crown attorney that would suggest charges are to be laid?

If there is no new information coming from the law enforcement authorities, as they stated last week, then why will the minister not table the full report in this House so that we as a Legislature can have a look at what has happened during the last two years and why they are not in a position to proceed at this point, almost two years after the fact?

Hon. Mr. McMurtry: Mr. Speaker, I simply repeat what I said to the honourable member's leader. Any information the law enforcement officers have that may be the subject of or related to criminal proceedings should be revealed and introduced in a courtroom and not in the Legislature. That is the way our system has always functioned.

I think the member can appreciate the wisdom of that, because what may be contained in a report, what may be the view of a particular individual law enforcement officer that I could be discussing in this Legislature, may not be admissible in court for one reason or another.

If we ever got into a system where a person might be tried on serious criminal offences on the basis that the Attorney General makes a statement in the Legislature in advance of a trial as to the nature of the evidence that is going to be introduced against him, it would destroy the very foundations of our criminal justice system. I am totally mystified why the member does not understand that.

ARK EDEN NURSING HOME

Mr. Peterson: Mr. Speaker, I have a question

of the Minister of Health arising from the recent ministerial statement on the Ark Eden Nursing Home.

Last Friday, the minister seemed to be justifying the closure of the nursing home in the following statement: "The owners have not fulfilled the commitments they made to this ministry when they acquired the licence for the home three years ago, and they have consistently failed to correct identified shortcomings which would affect the health, safety and welfare of residents."

The minister, I am sure, is aware that under subsection 4(6) of the Nursing Homes Act, each licence expires 12 months after the date of its renewal. That means, of course, that presumably the ministry had the question of the renewal of the Ark Eden Nursing Home licence before it for consideration in March 1982, around the same time as the tragic and unfortunate death of Yves Soumelidis.

I fully recognize that some of the commitments by the Bennetts were scheduled for a three-year phase-in period, but if, as the minister states, the owners consistently failed to correct identified shortcomings, could he tell this House what measures, if any, were taken in March 1982 by the ministry to ensure or to enforce compliance with statutory and regulatory requirements? Were any warnings or extraordinary measures of any kind issued or taken by the ministry at this time?

2:30 p.m.

Hon. Mr. Grossman: Mr. Speaker, from time to time, as certain environmental or operational difficulties and shortcomings were identified, my inspection branch required that rectification occur. In some of those instances appropriate steps were taken by the nursing home to make sure those deficiencies were rectified, and they were rectified.

In other cases there was an indication that some time was required in order to do that, and time was provided in some of those cases. A variety of circumstances occurred over the three-year period, which our nursing home branch deemed to be appropriate given the circumstances.

To be fair, I have not completed a review of the events which intervened between 1980 and 1983. We took action last Friday—and I am sure the member will support that decision—in order to deal with our first priority, which is to make sure the children are adequately cared for right now.

Mr. Peterson: Mr. Speaker, the team inspection summary report states that between February 1980 and December 1982, a period of some 33 months, 22 inspections were conducted. Could the minister tell us if that number of inspections is considered normal, or if it is above or below average? Will he table those reports?

Presumably, the minister's staff was well aware by March 1982 that there were nutritional, environmental and health problems being posed to the patients and the residents of the nursing home. Did the minister or his staff ever recommend invoking the existing provisions of the act and refuse to renew the licence to the owners unless the health concerns were rectified in March 1982, prior to the expiry of their licence in March of this year?

Hon. Mr. Grossman: One of the reasons we have to have a complete review of the file and the circumstances is that the full list of shortcomings was not apparent until just recently. Whether that was due to problems in conducting the inspections or the time at which some of the alleged violations were occurring, frankly, I do not know at this particular stage. That is why we are conducting this intensive review. In point of fact, as the member well knows, we have already reorganized that branch fairly thoroughly, although the reorganization has not yet been completed.

I cannot answer the member's questions in simple terms. I do not know whether it was by virtue of things appearing to be okay when our inspectors were there, whether too much time was being given by the inspection branch or whether the ministry policy, for which I take full responsibility, was too lenient and was interpreted in that way by the inspection branch. So I cannot answer very many of those questions, but I can assure the member I am determined to get to the bottom of the problem immediately.

Mr. McClellan: I do not understand the minister's statement to the effect that the full range of violations at this home "was not known to us"—presumably to the head office of the Ministry of Health—until recently, which I assume means until the date of the inquest.

We have been all through the period from spring 1980 until the inquest in 1983 in the estimates of the Provincial Secretariat for Social Development. Let me just ask the minister again: how can he say the ministry, at a reasonably high level, was not aware of the full extent of the violations at the Ark Eden Nursing Home when on February 16, 1982, Mr. Rivera, who is the regional supervisor of the nursing home

inspection service located here in Metropolitan Toronto, a reasonably high official, wrote to Mr. Bennett, the owner of the Ark Eden Nursing Home, and ordered him to remedy violations with respect to nutritional care standards, the lack of annual physical examinations, the matter of inadequate size of the beds—that is, the adult-sized residents in infant-sized cribs—the lack of in-service training programs for staff and, as well, at least 10 fire safety violations?

What is the minister telling us? How can he say that he did not know about the extent of the violations until recently? That was in February 1982.

Hon. Mr. Grossman: I can say that because it happens to be true. The fact that our inspection branch operating in good faith as it believed ministry policy would have it, resulted in a situation where the senior levels—by that I mean myself, my deputy and the assistant deputy minister—were not aware of the extent of the violations is something I am dealing with. Whether it was, as I said earlier, a matter of interpretation of policy, a liberal interpretation of policy or a wrong interpretation of policy, the fact is it occurred.

If the member wants to know why it occurred, whether the definition of the ministry policy was well understood by the branch or whether the branch was not able to comprehend and understand fully what was going on there, I do not have the answers to those questions. I can assure the member I am searching for those as quickly as possible.

Mr. McClellan: The branch knew exactly what was going on.

Hon. Mr. Grossman: As the member well knows, we have already made some senior changes at the top end of the nursing home inspection branch, and those are continuing. The party's health critic knows that; he has known it for some time.

Mr. Peterson: Mr. Speaker, we respect the minister's desire to clean up this situation and prevent it from happening in the future, but the reality is we are seeing a very disturbing regulatory failure in his ministry. Granted, he is a new minister, but we are seeing 22 inspection reports. We are seeing a number of things that have been chronicled, such as undersized cribs. This is not just a question of one month as opposed to the next month, presumably they were there for some period of time.

We are seeing a failure of his regulators to regulate or a failure of the regulatees to respond

to those regulations. That has to be most disturbing. That is the first part of my question. Is the minister now prepared to make those 22 inspection reports public so we can know clearly who is responsible for the failure of the regulation system?

The second part of my second supplementary is this: when we are talking about the shortcomings of the existing legislation, it appears that one of the failures is the lack of provision, under the act, to move during the time of a licence, to give the minister the power to do something between the periods of renewal for that licence. Will the minister immediately consider, perhaps prior to a general review of the act, an amendment to allow the minister to intervene during the currency of the licence to prevent this kind of thing from ever happening again?

Hon. Mr. Grossman: On the second matter, I already have legislation of that nature approved by my cabinet colleagues. When we have completed the drafting of the legislation, I will have it before the assembly. From the member's remarks, I trust it will get speedy and appropriate attention and consideration by the opposition.

It is inappropriate for this minister or any minister to stand behind the fact that he or she is a new minister. I am not a new minister, it being over a year now, and I have never purported to stand behind that. I do not think it is appropriate to say that. I take full responsibility, as I must, for all events that have occurred during that period of time, and my predecessors do as well.

In fairness, we have 340 nursing homes. All of the ministers of this ministry since 1972 have governed this ministry and 340 nursing homes very well. Many members contact me from time to time on behalf of their constituents who own and operate nursing homes asking for more beds, telling me what a fine institution it is, and that is accurate in almost every case.

The fact that in the 340 nursing homes which are inspected on a regular basis by the ministry's pretty good team there are occurrences from time to time that the regulatory system does not catch does not mean the entire regulatory system is in collapse or does not work. The reality is that when it does occur, one hopes and tries very hard so that there are not tragic circumstances like this which bring attention to the problem. In fairness to Mr. Bennett, my nursing home inspection branch and the ministry, the inquest did not find any connection between the circumstances in the home and the tragic death that occurred several months ago.

I wish to emphasize the fact that an event

occurs in one of 340 homes—let me be honest, I suspect there may be a few others—does not mean there is a regulatory breakdown. It means the system has to be fine-tuned and that a responsible administration must find out how that happened and how we can take steps to make sure it will happen less often than in the past, that is homes being in operation that do not meet the standards from time to time.

2:40 p.m.

The member well knows, whether we are talking about enforcing the Criminal Code or enforcing legislation in my ministry or any ministry, we will not ever achieve 100 per cent surveillance or efficiency in terms of those people who wish to break regulations. I am willing to take responsibility for it and I will make all the information available I can make available at the appropriate time. I undertake to this House not only to have new legislation in front of members at some time in the next session, but also to make sure the inspection procedure is as good and as appropriate as it can be. Neither the member nor I can seek anything more.

INSPECTION OF NURSING HOMES

Mr. Rae: I have a question of the Minister of Health. The fact is that the ministry knew about the problem at this home since the spring of 1980, and we have had to have this kind of a tragedy occur before the ministry was able to act and before the minister was able to act. That is exactly what the problem is.

The minister volunteered, not to the Legislature, I understand, but to the media outside, that inspectors will be looking at another 18 of the province's 340 nursing homes where ministry officials have reasons to suspect there are problems with the care of residents. I wonder if the minister could do two things: first, tell us the names of these 18 homes that are being inspected; and second, make available to the public and to the parents and relatives of those people who are in those homes precisely what the inspection reports say, so this climate of secrecy and of coverup can finally be brought to an end.

Hon. Mr. Grossman: First, let me make it clear that I was asked outside last Friday whether or not we were going to be checking any other nursing homes in the province. I was not asked that in this House last Friday. I am not prepared to say to the media outside: "I am sorry. I will not answer that question until I am asked that question in the assembly."

Mr. McClellan: Did the minister make a statement about it?

Mr. Speaker: Order.

Mr. Grossman: That does not mean any member of this House failed to ask a question he should have asked, nor does it mean the ministry failed to disclose any information it ought to have disclosed. I can think of another 40 or 50 questions that could be asked in these circumstances. Many of those questions, as is always the case, are asked outside this assembly of the member, of the Leader of the Opposition and of government members, since there are only three or four questions there is time for in this assembly.

I do not apologize for providing the media, and through the media the public, with the information they require. I am not prepared to say: "I am sorry. You will have to wait till Monday when the leader of the third party may ask that question."

With regard to the other 18 homes, the simple fact is that I have asked the ministry to list those homes which particularly have children under our care. Those are the ones we have decided to go and look at. It is because we have children in this particular category that I am most concerned.

There will be other homes from time to time into which we will want to send inspection teams, as opposed to one or two inspectors, and we will be doing that as well. In the meantime, I want to be satisfied that the situation in those nursing homes which are caring for youngsters is satisfactory. Therefore, the other 18 homes will be those that have our youngsters in their care. That will be done shortly.

With respect to the nursing home reports, I know the member and his colleague did not think they would see the day when we would be in a position and be willing to release nursing home inspection reports. That day has now arrived. To the extent that any previous reports have been asked for and not been able to be released, it is because the format of those reports has been such that it is impossible to release them without disclosing something about the health status of the children or the adult residents involved. I am not prepared to compromise the confidentiality, nor released, it is because the format of those reports has been such that it is impossible to release them without disclosing something about the health status of the children or the adult residents involved. I am not prepared to compromise the confidentiality, nor ought I, of their health status in order

to satisfy demands that old nursing home inspection reports be made public.

I share with the member the wish that those reports were in a state in which I could make them public. Our job of inspecting nursing homes would be much easier if those reports were made public. That is one of the reasons I heartily agree with that suggestion and why they will be made public shortly.

Mr. Rae: In dealing with the question of inspection, I wonder if the minister can confirm that there are three fire inspectors in the ministry division dealing with nursing homes for the whole of the province, that there are three environmental health inspectors, that there are 14 nursing home inspectors, plus a current vacancy of one, and three regional supervisors, making a grand total of 24, which means there is one inspector for every 1,195 beds.

Can the minister confirm that, as a result of this, there are no random spot checks conducted by the ministry, simply responses to individual complaints plus a routine review done at the time of renewal? Does the minister not think this kind of problem with respect to inspection and investigation does not give rise to very much confidence, particularly when one considers that the reports have not been made public until the present time?

Hon. Mr. Grossman: Those are really ill-researched and ill-informed allegations. I resent the leader of the third party making those allegations. Much as he might shake his head, his health critic, the Liberal health critic and my members have asked this question in the estimates committee many times. They have been told very directly by us that inspections in the nursing homes are unannounced, random inspections, and that from time to time, after a random inspection, when there is a necessity to call back within two weeks to see that rectification has occurred, that is obviously predicted because it is two weeks down the road.

I have told the third party's health critic and members of the standing committee on many occasions, as have my predecessors, that those inspections are surprise inspections done on a random basis. I clearly resent his repeating an allegation that has been answered. If he wants to accuse this minister and this government of lying, he should be a man and stand up and do that, but he should not repeat an allegation so he can get it out in the media when that allegation has been clearly and specifically answered by a minister of this government, whether by myself or any of my colleagues here. He should have

the courage to stand up and say he does not believe it. He should not stand up and repeat an allegation because he wants to get on the six o'clock news, when he knows that allegation is not accurate.

Ms. Copps: Mr. Speaker, I am glad the minister is seeing the situation at Ark Eden Nursing Home in the greater context of what is happening in nursing homes all over Ontario, but I am very disturbed if the minister feels the only reason he is going into the other 17 facilities is that they are facilities that deal with children. I believe it is not only extremely important that the minister consider the safety of children who are forced to live in nursing homes on a regular basis, but also critical that he look after older people who also happen to be helpless. In many cases, they are unable to speak out for themselves in the same way as children are unable.

Will the minister extend his review to include a review of licensing procedures in general that would apply to all nursing homes across Ontario and not simply those nursing homes that accommodate children on a regular basis? Admittedly, the minister has stated in the House that he does not see a regulatory breakdown. Yet by his own statement his ministry was responsible for 22 inspections at the Ark Eden Nursing Home over a period of 33 months.

Would he admit in this House that there has been a regulatory breakdown at Ark Eden, that there are potential regulatory breakdowns in other areas, and that the only way he can actually clear the air is to have a review of licensing procedures, as well as a review of all conditions facing all patients in all nursing homes in Ontario?

Hon. Mr. Grossman: Very quickly and simply, let me say that is what we are doing. I thought I had indicated that earlier. We have had a complete review of all the methods being used in licensing and inspecting all nursing homes. The only sense in which I indicated there were 18 was that we have put together a special team that will go and supplement the usual random investigations and inspections. That inspection team is beginning this round by going to the nursing homes that house our young people.

Last year, because of our concern, we not only put together a special team, we increased the complement from 24 to a higher number by retaining outside inspectors on contract for a short period of time with the ministry to look at all the other nursing homes the member is

talking about—not all the others but it included the 18 we are talking about now—in order to give me a quick assurance that at least the fire safety aspects were satisfactory. That has now been done and completed.

We have ascertained there is also a need in the homes for special care, a point the member has raised on several occasion, and we have put together a team to review that entire sector. Again, it is supplemented by outside contracted inspectors.

To give the member a very clear answer to the question, all of that is already under review by the ministry to address all of her concerns.

2:50 p.m.

On the question of regulatory breakdown, it is unfair to say that because in one instance there was a failure to take whatever steps might have been appropriate in earlier stages, it indicates a total breakdown of a system that covers 339 other nursing homes.

I did not deal with the number of inspectors in the previous question, but the member has addressed the numbers. There are 24 inspectors to cover 340 nursing homes. It makes each of them responsible for 12, 14 or 15 nursing homes. That is quite an acceptable number considering that two or three times a year is all that is required in the vast majority of nursing homes. Supplementary to those 24 inspectors, there is our willingness to go out and retain others when we need them. That has been done.

Mr. McClellan: Mr. Speaker, first, I should say that the information that still upsets the Minister of Health comes from officials in the nursing home services branch. It may well be that the minister has not yet got a handle on the practices and procedures of his own department.

Hon. Mr. Drea: Oh yes.

Mr. McClellan: It comes from his own officials. If he does not know what his own officials do, that is his problem and not ours.

Interjections.

Mr. Speaker: Order.

Mr. McClellan: Can the minister cast his memory back to May 12, 1981, when his predecessor announced in the Legislature virtually the same policy that he announced last Friday? Does he remember that the candidate for the leadership announced to us that he was working out a new inspection form that is basically a numerical rating? He stated that when those forms were completed and were put into use

they would be made available to whomever wanted to see them.

Is that very different from the policy the minister announced on Friday? Is he still trying to implement the policy of the member for Don Mills (Mr. Timbrell)? Can he specifically tell us whether he would be good enough to table the nursing home inspection reports on the following nursing homes: Good Samaritan Nursing Homes Ltd. in Alliston, Barton Place Nursing Home in Toronto, Country Place Nursing Homes Ltd. in Richmond Hill and Lakewood Nursing Home in the Huntsville area?

Hon. Mr. Grossman: Might I say that one of the reasons I shall be able to change a lot of the procedures and the licensing arrangements in the next few months is the excellent ground-work laid by my predecessor, who had an extraordinary degree of concern for these particular residents; let me make that clear.

Mr. Cassidy: Oh, the minister is supporting his campaign.

Hon. Mr. Grossman: That is only three less rounds of applause than the member got a minute ago from his own party.

Let me also say that the nursing home system in this province was built from scratch. There are up to 340 homes, about which a lot of the various members and their constituents speak to me. I am not speaking of the member for Bellwoods (Mr. McClellan), but his friends over there speak to me about them to encourage providing more beds for their particular nursing homes from time to time.

That system was built under the firm, important, cautious, careful and considerate guidance of all of my predecessors. Let us not suggest that this situation deteriorated until recently. They built the system and they then began to do what was necessary to inspect and supervise that system. We are now able to take it one step farther because of the infrastructure that is in place.

Let me also deal with the reports. The member can ask as many times as he wants for more nursing home reports, but he knows as well as I—the Speaker quite properly gets impatient with these things being repeated, but the members continue to ask the question again—not surprisingly, the answer is always the same because the answer has not changed.

Those reports have been written for many years in such a way that we cannot release them without disclosing the health status of the residents. The member would be the first to rise

and complain that that matter ought to be sent to Mr. Justice Krever because confidential health information had been made available to the public. I am not about to do that. I will be able to do that in the next few months.

Let me say, finally, if the member believes that the system of inspections is different to what this minister has stated, then he should stand up, as I said, and suggest that I am misleading the House or that I am lying. I am not. I am giving the ministry policy. That is the way it is implemented and it is not about to change. There are surprise random inspections. It does not matter how many times the member asks.

Mr. Rae: Mr. Speaker, the fact remains the minister did not answer with respect to specific violations.

DEATHS AT HOSPITAL FOR SICK CHILDREN

Mr. Rae: My second question has to do with the Attorney General. I would like to ask him, with respect to the statement he made today, how he can explain the events of last week with respect to the statements made by Chief Ackroyd and Superintendent Bamlett. How can he explain those two statements which are in direct contradiction to the statements he made last week and today?

How does he respond to the question as to why Superintendent Bamlett, after years of service to the department, would have left the investigation before it was completed? Does that not raise certain questions in the minister's mind? Does he not see the public itself is raising questions about whether the investigation is over or is not over and why the results of that investigation are being held up?

Hon. Mr. McMurtry: Mr. Speaker, I do not think it is the role of the Attorney General to speak about or explain statements made by any senior police officer in this province. I said earlier the statements attributed to those distinguished officers were obviously inaccurate. I spoke to Chief Ackroyd briefly on the weekend, or I should say he communicated with me, and he regretted the fact there was some degree of confusion.

He was clearly of the view, as I have repeated in this House, that the investigation was not at an end. The officers who have had most to do with the day-to-day investigation and who have accepted almost entirely the responsibility for the day-to-day investigation are still actively involved in the case.

It may be Superintendent Bamlett had some overall supervisory responsibility, but his retirement, which I gather had been planned for some time, really has little to do with the ongoing investigation. He just was not involved in the day-to-day investigation other than in some general supervisory role that has little impact on where the investigation is going from this point. That happens to be the fact.

Mr. Rae: Is the Attorney General saying the police officer in charge of the investigation, and presumably in charge of drawing up a report which would then be presented to the crown attorney, was not involved in any way in the day-to-day investigation, and that his leaving the case has no impact at all on the evidence and no impact at all on the process? Is that what he is saying to this Legislature?

It would seem rather surprising that someone praised as highly as Superintendent Bamlett was last week by all those who knew him would leave in the middle of the investigation. Now we have the Attorney General saying the person in charge of the investigation really had nothing to do with it.

Hon. Mr. McMurtry: Those are the member's words, not mine. He may like to play his little boy antics and pursue them by parading all sorts of silly little smokescreens. One of these days we know he will reach some degree of maturity that will not make this necessary. I do not know whether we will ever see it, but we are looking forward to that day.

I am just repeating, the fact of the matter is Superintendent Bamlett's day-to-day involvement in this investigation is and has been of a very peripheral nature.

Mr. Speaker: The member for Ottawa East.

Mr. Mitchell: Look who's here; and it is not Tuesday, it's Monday.

Interjections.

Mr. Roy: Mr. Speaker, is the member for Carleton (Mr. Mitchell) going to be okay?

Hon. Mr. Ashe: It is the first time we have seen him on a Monday in about a year.

Interjections.

Mr. Speaker: Order.

Mr. Roy: I apologize for waking him up; I am sorry, I will not do it again.

3 p.m.

Considering that all of us here appreciate the seriousness of this whole sorry situation at the hospital, considering the fact that charges have been laid, the accused was discharged and the

minister decided not to appeal, and considering that we have had a report from the Dubin inquiry and a report from the Centers for Disease Control in Atlanta, part of which the Attorney General has released here today and another part of which he has refused to release, does the Attorney General not understand there is some concern that the whole system, the whole apparatus, hardly inspires confidence in the administration of justice?

Can he tell us when this investigation, which has been going on for so long, will finally terminate? When will we know whether other charges are to be laid? When will the Attorney General proceed with a full inquiry?

Hon. Mr. McMurtry: Mr. Speaker, if we had the pleasure of the honourable member's company a little more often, he would know the answers to some of these questions.

Mr. Rae: He's here more than you are.

Mr. Speaker: Order.

Hon. Mr. McMurtry: I said on Friday—and I realize Friday is a bad day for the member in Toronto—I had every reasonable expectation I would have the final report from the investigators in my hands in early March. To the best of my knowledge that is the answer I gave, I think, on Thursday and Friday.

I want to make one further observation. Given the enormous complexity of this case, I do not think members opposite really intend to undermine the confidence of the public of Metropolitan Toronto in one of the world's very finest police forces. I realize the members of that party do not have much representation from the Metropolitan Toronto area—

Interjections.

Mr. Speaker: Order.

Hon. Mr. McMurtry: —or they would get a little better advice in relation to some of the innuendoes and aspersions they are trying to cast in the direction of what is really a very fine police force.

Mr. Rae: If anybody has undermined confidence in the police investigation, it is the Attorney General. It is the Attorney General who has come into this Legislature and said that the person in charge of it was not involved with it on a day-to-day basis. If that does not undermine confidence, I do not know what does.

Mr. Speaker: Question, please.

Mr. Rae: My question for the Attorney General concerns a statement that was made on January 28 by his colleague the Minister of

Health (Mr. Grossman), who said the Atlanta report would be made public "at the appropriate time."

Given the number of things that have been said today by the Attorney General with respect to the report of the Centers for Disease Control in Atlanta, can he tell us whether in his judgement this report will ever be made available at the appropriate time or at some other time? Is he now reneging on the commitment made by the Minister of Health, or is he going to go ahead with it?

Hon. Mr. McMurtry: I am not reneging on any commitment made by the Minister of Health.

NORCEN-HANNA MINING CO.

Mr. T. P. Reid: Mr. Speaker, I too have a question for the Attorney General relating to the administration of justice in regard to an article in Maclean's magazine on one of the people who I am sure will be known to the Attorney General.

Is the Attorney General not concerned that the events surrounding his meeting on May 13 with Conrad Black and his lawyers relating to the Norcen-Hanna Mining Co. situation may have brought the administration of justice in Ontario into some disrepute? Is he not concerned that he should have made a statement concerning the article in Maclean's? Can he explain the situation at the moment with the apparent conflict between the police and the ministry in this case? What has the special focus been since his meeting on May 13 with Mr. Black and his lawyers?

Hon. Mr. McMurtry: Mr. Speaker, I regret, particularly because of my very high regard for the member for Rainy River, that he has not shown much interest in recent years in the estimates of the Ministry of the Attorney General. If we had had the pleasure of his company during those estimates, he would know this issue was discussed in great detail by his colleagues. As a matter of fact, the then director of the criminal law branch of the ministry, Mr. Roderick McLeod, now the Deputy Solicitor General of this province, gave a very lengthy outline of what had happened, as well as statements made by myself.

The honourable member has raised a question that was of some interest to some of the members before the end of the year and that obviously has attracted the interest of Maclean's magazine. I do not want to go on at great length, but I am afraid the question he asked was a very

general question. I am not quarrelling with him for asking a general question, but I want to take a moment or two to briefly repeat some of the statements that were made in estimates.

First, a very unusual allegation was being made by Mr. Black's lawyers, a very respected Toronto law firm, the firm of Osler, Hoskin and Harcourt, to the effect that a trial that was in its critical stages in Cleveland, Ohio, was being improperly influenced by some unstated activity within the government and, more specifically, within the Ministry of the Attorney General.

At the time of our only meeting it was outlined that what had been injected into that trial was the fact of ongoing police or criminal investigation in Toronto. At the time of the meeting, which involved Mr. Rendall Dick, the Deputy Attorney General, and Mr. Blenus Wright, who is in charge of the civil branch of the ministry—because I knew this was a civil action—we were advised not only that the fact of the criminal investigation had been introduced into the trial in Cleveland, Ohio, which was a civil action, but also that the judge in that trial had actually telephoned one of our law officers to inquire about the criminal investigation, and that was confirmed.

I did and still do regard that as an incredibly unusual initiative for a trial judge to take in the middle of civil trial, to seek information on his own with respect to a criminal investigation in another jurisdiction. I felt it was unusual enough that my senior law officers should be asked to pursue the matter and find out in effect what had happened. The matter was left with Mr. Rendall Dick, and then Mr. McLeod was brought into the matter. As far as I am concerned, absolutely nothing happened that should in any way undermine anybody's confidence in the administration of justice in this province.

Mr. Nixon: Mr. Speaker, the minister is spending too much time on the answer.

Mr. Speaker: Order, please. May I suggest to the Attorney General that perhaps he would like to make a detailed statement at a more appropriate time.

Mr. Bradley: Add five minutes.

Mr. Martel: Add five minutes to the question period.

Mr. Speaker: No. In all fairness, the honourable member asked four questions of a very general nature.

Mr. T. P. Reid: None of which the Attorney

General answered, but I will put a brief supplementary.

Mr. Speaker: One specific one.

Mr. T. P. Reid: Right.

I have read the estimates carefully, but they took place on December 15, 1982, while the Maclean's article has been published recently. Can the Attorney General explain and clarify what happened to Mr. Johnston, because Mr. Rendall Dick, then Deputy Attorney General, gave one explanation for his removal, Mr. McLeod gave another, and Mr. Morton, director of the commercial crimes branch, gave another; and now Mr. McLeod finds himself directing the police. Can he clarify why Mr. Johnston was removed from the case?

Second, did the Attorney General give direction to the police to change the charges or the criminal investigation from what the police had originally embarked on to a lesser fine or a lesser charge?

3:10 p.m.

Hon. Mr. McMurtry: First, I would like to say that Maclean's magazine would have demonstrated some higher degree of journalistic integrity if it had referred to the fact that these issues were debated at some length in the standing committee on administration of justice.

I have to take issue with the member. I do not agree with his interpretation that these three distinguished law officers of the crown gave different explanations; not at all. They made it clear as to why they required more experienced criminal counsel on this matter.

I want to make it clear that at no time was any direction or other pressure brought to bear on the Metropolitan Toronto police in relation to downgrading this investigation from a criminal investigation, which it still is, to an investigation under the Securities Act. Any suggestion otherwise is simply without foundation.

I have also discussed this matter recently with the chief of police for Toronto because of the attention it has been given and voiced my concern that a cloud has been created that some sort of pressure was perhaps improperly applied to downgrade this investigation. The chief of police, who of course is very familiar with these details, simply stated it was an irresponsible suggestion.

Mr. Renwick: Mr. Speaker, will the Attorney General advise the House when he expects the criminal investigation into this matter will be completed and when a decision will be made as to whether charges will be laid?

Hon. Mr. McMurtry: Mr. Speaker, I cannot help the member for Riverdale on that. I will inquire as to whether any date can be given. The last time I inquired it was not possible for an estimated time frame to be given to me. I will make further inquiries and will inform him at least by letter if the House is not sitting.

ONTARIO INDIAN POLICE COMMISSION

Mr. Renwick: Mr. Speaker, my question is for the Provincial Secretary for Resources Development in the absence of the Solicitor General (Mr. G. W. Taylor). I know the provincial secretary is familiar with these matters.

I refer to the Ontario Indian constable program and specifically to the agreement between the government of Canada, the government of Ontario and the duly recognized Indian associations of Ontario, namely, the Grand Council of Treaty 3, the Grand Council of Treaty 9, the Association of Iroquois and Allied Indians and the Union of Ontario Indians, and to the evaluation made specifically pursuant to section 27 of that report on the whole of the program.

Is the government prepared to enter into formal negotiations as requested by the Indian associations of Ontario to ensure that the Ontario Indian police agreement can be renegotiated on a comprehensive basis following the 33 recommendations for improving the program which have been proposed by the independent evaluation, having regard to the fact that the agreement will expire on March 31?

Hon. Mr. Henderson: Yes, Mr. Speaker, we have been involved in negotiations. We are ready to negotiate on behalf of the native people. I am sure the honourable member realizes this agreement is carried out. The Ontario Provincial Police make recommendations for constables on the reserves. It is our hope to be able to represent all the native people and to continue with the present program.

Mr. Renwick: It is passing strange that the Solicitor General or the government itself has refused to pay its portion of the costs of the evaluation study called for by the agreement. My supplementary question is, and I refer to the provisions with respect to the establishment of an advisory body to be called the Ontario Indian police commission, whether the government is prepared to support the immediate establishment of the Ontario Indian police commission as mandated in the present policing agreement and in line with the proposals which Mr. Justice Hartt has received in connection with those terms of reference.

Hon. Mr. Henderson: In this case we are left in a position similar to the one we are in with many other contracts with the government of Canada where they are trying to put their responsibilities on to the government of Ontario. In this case we are—

Interjections.

Mr. Speaker: Order.

Hon. Mr. Henderson: We are continuing to represent the native peoples and yet make Ottawa pay their portion of it.

KICKBOXING AND FULL CONTACT KARATE

Mr. Roy: Mr. Speaker, I have a question for the Minister of Consumer and Commercial Relations pertaining to his statement last week about kickboxing. Perhaps he can just hang on to his colleague to his right and keep him under some control.

Subsequent to the minister's statement, can he provide us with any evidence of serious injury or death that would have compelled him to ban these sports, kickboxing and what he calls full contact karate, pending an investigation? If he does have any evidence, will he provide it to the House?

Second, if the minister does not have any evidence, why would he ban these sports and not ban boxing, for instance, where there is overwhelming evidence of injury and death? Where is the consistency? How does he react to people who have been working with the athletic commission in his ministry for the past two years or so and have drafted some 30 or 40 pages of regulations with his ministry, and now feel they have been betrayed by the minister's decision in the matter?

Hon. Mr. Elgie: Mr. Speaker, I think it is a good question the never-here-on-Monday member for Ottawa East has asked, and I think we should answer it seriously.

Many questions are being asked in society today about boxing but, as the honourable member knows, a federal task force on boxing was conducted in 1980. It went through this country and made certain recommendations with respect to regulating a sport that apparently has become a norm in society. There are Olympic boxers, it is part of centuries and centuries of this type of sport being accepted.

Whether I happen to like it, or whether the member opposite or some members do not like it is another issue, but as a sport it still is in question. As a matter of fact, the British Medi-

cal Association working party will be coming out in two weeks with an extensive review of the whole issue of boxing.

The issue of kickboxing is relatively new. It is a sport that has been banned in some states in the United States. It is a sport that I do not have any statistics on with respect to serious injuries, although I have heard of one indirectly; but I would want to verify it before I mentioned it.

Interjections.

Hon. Mr. Elgie: Hang on. The potential for injury is what has alarmed the American Medical Association and physicians in this country, a concern that goes beyond the force that can be applied with a fist.

I acknowledge that the children who are doing it in the schoolyards today may not have the skill, the expertise and the strength in their legs to apply a kick to the head that can produce the injury we all fear.

Mr. Boudria: That is not true and you know it. It is the force of the foot.

Interjections.

Mr. Speaker: Order. The time for oral questions has expired.

[Later]

Mr. Roy: Mr. Speaker, why would you not allow the minister to complete his statement in the question period—

Mr. Speaker: Order. That is not a point of order.

Mr. Roy: You allowed the statement that went on for half an hour from other ministers, including the Minister of Health (Mr. Grossman). Why would you not allow—

Mr. Speaker: Order.

RESPONSE TO WRITTEN QUESTIONS

Mr. Foulds: Mr. Speaker, I draw to your attention standing order 81(d), which gives a time limit for ministers to answer written questions. I draw to your attention question 535, which I asked on October 12. Surprisingly, the ministry said the information would be available on the approximate date of November 29, 1982.

I would like to know why the ministry is suppressing the answer to this question.

Mr. Speaker: I am sure the ministry will take note of your request and will reply instantaneously, perhaps.

3:20 p.m.

CLOSURE OF DYLEX PLANT

Mr. Wrye: On a point of order, Mr. Speaker:

dent, David Hughes, expressed concerns at the very beginning. I quote:

"In an immediate press release, OSSTF president David Hughes charged that the province had just taken the first step towards making province-wide bargaining compulsory for all teachers in Ontario." There already we see many viewing Metropolitan Toronto as being only the first until we see it implemented across the province.

"That is an unavoidable conclusion," he said, "when the province introduces legislation that will compel regional bargaining by teachers in six boards that represent one quarter of the population in Ontario. It is a backward step, in our opinion, for many reasons.

"It is plain common sense," he added, "that one bargains with the employer who hired you. The amendments to the Metropolitan Toronto Act say that there will be a Metro-wide negotiating unit, seriously weakening the ability of the individual school boards to deal with their teachers on local issues."

"But the real losers, David Hughes emphasized, may be parents. 'Their wishes for special programs or special services for their children will have to take second place to Metro-wide negotiations under the new legislation. If individual boards are having difficulty providing special programs that their communities now wish, how much more difficult will it be under a new Metro-wide structure?

"The accountability of locally elected school boards to their taxpayers will be seriously diluted, because results of joint bargaining can always be blamed upon the Metro grouping. Or, to put it in a different way, the desire of parents for a special program will always have to be balanced against whether that fits into a Metro formula."

"The Ontario Teachers' Federation has also spoken up about the proposed amendments to the Metropolitan Toronto Act—and with good reason, according to David Hughes. 'What the new legislation says in a nutshell is that 25 per cent of the teachers in the province of Ontario have lost the right to deal directly with their employers. That is a negative step backwards, if I have ever heard of one.'

"The priority of the moment is to ensure that there must be 'a thorough examination of the amendments to the Metropolitan Toronto Act and their implications for education in all parts of Ontario. There must be ample opportunity for concerned parents, teachers and other citi-

zens to express their views, preferably through a committee of the Ontario Legislature.'"

Those views, indeed, were expressed, but not to the extent that we in the opposition felt was desirable, because on October 6, 1982, I moved in committee that we should hear more people who wanted to be heard. There were a number of people who were not able to be heard before that committee.

We had several people come from the federations. I will not read in great detail the representations which were made, but I thought the representations made, for instance, by the teachers in York, East York, North York, Scarborough, Etobicoke and Toronto were quite good in that those who had direct responsibility for negotiating could not say there had been a specific problem in the negotiating process.

Almost to a person, they indicated this response to any of the smaller problems that might have arisen was overkill. Many had thought that while the collective bargaining process had been tough with many of the boards, it had nevertheless been quite successful.

The Ontario Teachers' Federation dealt with the bill as it existed in June 1982 in a newsletter which I thought stated their case well. One has to always watch this, because one cannot always accept everything a particular group which has a direct interest in a piece of legislation says.

To be fair, I think it would be unwise for any of us in this House to automatically assume that is correct. We had to look carefully at it to determine whether that was the case, to ask questions of the representatives of the boards of education who came before us and to ask questions of the representatives of the teachers' federations to determine whether a real problem did exist.

It was my view, upon hearing those people make the representations, that the problem was not of such an extent as to militate in favour of the passage of this legislation.

The Ontario Teachers' Federation Interaction, June 1982, capsulized the potential solutions and the problem with the legislation in quite a concise and reasonable manner. I am going to quote from this to allow members of the Legislature to know exactly the way they thought.

Mr. Chairman: But not extensively.

Mr. Bradley: Not extensively; you will be happy to know that it is condensed quite a bit, but it is very good.

Mr. Chairman: You are not going to read the whole thing?

Mr. Bradley: Not the whole thing, but I could if I wanted to. I know the member for Sudbury East (Mr. Martel) would want me to, but I really do not feel I should.

It says: "The collective bargaining process between teachers and school boards has been under review since October 30, 1979, when the Minister of Education, Dr. Bette Stephenson, announced the creation of the 'Matthews commission.' OTF and the affiliates have been attempting and will continue to attempt to influence the outcome. Your assistance and that of your branch affiliate will be required if we are to be successful." The writer is speaking to members of the teachers' federation.

"Two issues, compulsory joint bargaining by panel and compulsory regional bargaining, have emerged from the review process. These have been embodied in proposed legislation to amend the Municipality of Metropolitan Toronto Act, introduced for first reading in the Legislature on Friday, May 28, 1982.

"Interestingly enough, both of these issues were examined by the Matthews commission which concluded, 'We are dubious about enshrining this principle 'joint bargaining in law.'

3:40 p.m.

"At first glance, the prospect of compulsory regional bargaining in the Metropolitan Toronto area would seem to be an issue of concern only to teachers employed within the area. This is not the case) It would be impossible to implement compulsory regional bargaining in the Toronto area without also imposing some form of compulsory joint bargaining by panel.

"The proposed abrogation of a teacher's right to negotiate through the local branch affiliate with his or her employer must be opposed before a precedent is established. Failure to do so is to invite the application, through the amendment of Bill 100, of compulsory joint bargaining by panel to all jurisdictions. Further, once compulsory regional bargaining has been established in Metropolitan Toronto it can easily be extended to other areas."

We know the minister disagrees, and the Premier (Mr. Davis), in answer to my question in the House, when he became quite exercised at this suggestion, stated that as long as he was Premier this would not happen. Of course, we do not know how long he is going to be the Premier. Events in the city of Ottawa in June might militate in favour of his leaving this place for the other place. We would certainly wish him well in his efforts, no doubt. That has nothing to do with the bill so I will continue.

They talked specifically about compulsory joint bargaining by panel. The OTF Interaction goes on to say as follows:

"Since 1975, teacher-trustee negotiations have been governed by the School Boards and Teachers Collective Negotiations Act. Section 4 of this act was designed to permit the flexibility in negotiating that was part of the process prior to 1975. It allows two or more boards or two or more branch affiliates to choose to negotiate as a single party.

"Inherent in the provision is the right of the individual teacher through his or her branch affiliate to bargain collectively with the employer, and recognition of the autonomy of each board of education.

"Traditionally, members of the francophone and English Catholic affiliates who teach for the same school board have bargained together, as have members of the francophone and secondary affiliates and the two elementary affiliates. In only a handful of situations have members of different branch affiliates employed by the same board bargained separately, and in these cases representation of minority concerns has been a major issue.

"The strength of the current arrangement is its flexibility. Any voluntary arrangement for joint negotiations by autonomous entities depends on the continuing co-operation and goodwill of the participants, and is therefore by its very nature ad hoc. As the needs and priorities of the party shift, the structure is capable of evolving to a new and more responsive form. When such an arrangement is replaced with a mandatory structure, the behavioural obligations are removed; increased conflict is the likely result.

"If collective bargaining is to be effective, the employee must retain the right to negotiate directly with the employer. When a joint bargaining structure is mandated, the autonomy of the component parts is compromised and local needs and priorities easily jeopardized."

Looking specifically at the compulsory regional bargaining in Metropolitan Toronto, it says:

"The imposition of compulsory regional bargaining will serve only to compound the problems created by compulsory joint panel bargaining. In Toronto, 16 elementary branch affiliates and eight secondary branch affiliates will be moulded into two bargaining units. They will be forced to negotiate salaries, other financial benefits and the method by which the number of teachers to be employed by an area board with a trustees negotiating committee comprised of representatives of the six area boards.

"Other matters may be negotiated directly with area boards. A double majority will be required for ratification of a collective agreement by each of the boards and the teachers. Terms and conditions of employment applying to teachers on September 1, 1983, and thereafter must be negotiated under the new provisions; existing agreements will expire on this date.

"The imposition of compulsory regional bargaining may mean ultimately that the education system is a little less effective and a little less responsive than it would otherwise have been. Smaller branch affiliates and smaller boards will be confronted with a system that is less sensitive and less responsive to their needs and priorities. New funding arrangements will impose program and staffing uniformity that may or may not be in the best interests of education. Relationships between teachers and the employing boards will become less personal and more bureaucratic.

"The imposition of a new bargaining structure in Metropolitan Toronto could not have come at a worse time. Public education is under enormous pressure to improve services to its clientele. A major retrenchment necessitated by declining enrolments has been only partially completed. While retrenchment is never easy, the ground rules have been established through the collective bargaining process. To arbitrarily terminate such agreements and to impose altered structures for the determination of new arrangements is to invite confusion, insecurity and disruption at a time when the schools and teachers can least afford it."

That was signed by all the representatives of the Ontario teachers' federations: George Meek, who at that time was president of OTF; Serge Plouffe, the president of l'Association des enseignants franco-ontariens; Ann Thomson, at that time president of the Federation of Women Teachers' Associations of Ontario; George Saranchuk, president of the Ontario English Catholic Teachers' Association; Duncan Jewell, then president of the Ontario Public School Men Teachers' Federation; and Malcolm Buchanan, president of the Ontario Secondary School Teachers' Federation. They put the case very well.

We could go through the considerable testimony that took place in the committee. To see the frustration in the faces and to hear it in the voices of those who had been in the front line in negotiations when they saw slipping away from them the opportunity to negotiate freely and on a flexible basis was something to behold. Cer-

tainly there were those from the Metropolitan Toronto School Board who feel it is desirable to have this movement away from individual negotiating processes to one joint negotiating team. I do not think it really benefits anybody, and I go along with David Hughes in his comments that it is not going to help the student in the classroom eventually.

Many of the people who made representations, even on section 7 of the bill, were not teachers but were parents who were concerned that their board of education, democratically elected, directly elected, would not have the powers they hoped it would have. That is important because the Metropolitan Toronto School Board is not directly elected. Yes, it has elected representatives on it, but they are indirectly elected. If I reside in Etobicoke, I am not in a position to vote for somebody I know is going to be on the Metropolitan Toronto School Board. To place further powers in a board that is indirectly elected and take them away from a board that is directly elected is a step backwards.

I would guess there are many back-bench members of the Progressive Conservative government, and perhaps some in the cabinet, who would be philosophically opposed to this. There are a number of people on the other side, although there are some centralizers within the cabinet, who have a great belief in local autonomy. I am sure I can count the member for Kingston and the Islands (Mr. Norton), who sits in the House at present, among them. The member for Lincoln (Mr. Andrewes), who also sits in the House at present, listening in rapt attention to my remarks, no doubt feels the same thing, as he is a person who has long cherished local autonomy in his part of the province. Indeed, the chairman could be placed in the same category. So I make that kind of special plea.

The member for Oakwood in the amendments he placed in the committee suggested the word "may" be substituted for "shall" in a number of different cases. That would have the effect of emasculating that section of the bill, and that is a desirable goal to have. It is obvious the minister was not moved by the arguments made in committee, because the six Progressive Conservative members dutifully raised their hands in opposition to each of the amendments proposed by members of the opposition. That is unfortunate.

In looking at the total bill—and I am not speaking to the total bill, but in my arguments in total about the bill—I have indicated I under-

stand to a certain extent why the Minister of Education and Colleges and Universities wants this bill to go through. It has become a battle. She has come this far and no doubt she feels she must push on. Having come this far she would not want to retreat now. It is understandable in human nature that any of us having a project we wish to push forward, having come way down the line and fought many battles—

Hon. Miss Stephenson: The member is imputing motives again.

3:50 p.m.

Mr. Bradley: It is a rather kind motive in this case as opposed to an unkind motive.

Hon. Miss Stephenson: It is erroneous.

Mr. Bradley: I am not imputing motives. I am offering an opinion that the minister, having come this far, is certainly not going to retreat on this piece of legislation.

However, I wonder why the government would proceed with this section of the bill knowing the great opposition to it. From time to time, we get telephone calls from people who are proponents of the bill as well as from those who are not. They say: "This is great stuff. It is time somebody stepped on the teachers. It is time their wings were clipped. It is great to see the Toronto Board of Education put in its place."

While they are a distinct minority of the calls or representations I have received, that factor remains as one which would militate in favour of the minister continuing her battle to get this piece of legislation through the House.

However, I cannot for the life of me understand why the other members of the cabinet and all the other members of the caucus would feel it necessary to drag the Legislature through this legislation knowing it is not essential, knowing it is attempting to rectify a situation that does not require fixing up, if I can use that terminology, by the provisions of this bill.

I do not like the terminology that was used in committee, but let me give an example of the kind of flexibility I would like to see in negotiations. It is a process known as bodies for bucks. It is an awful thing. It sounds as though one might be talking about Yonge Street in its old days or referring to a cemetery. That is not the case in either event.

What we are talking about is a provision in a contract freely negotiated with the Toronto Board of Education and the teachers who are represented by the branch affiliates dealing with that board whereby they said: "Look, our prior-

ity is job security and class size for a couple of reasons. Obviously we want to retain as many positions as possible, that is logical; but also, the effect on the classroom is quite pronounced and we feel the children in the system would be better served with more teachers available to the system. We are prepared to take less money than might have been anticipated in favour of allowing more teachers."

I think this is a good kind of contract to negotiate, particularly at a time of declining enrolment and high unemployment, when the education system is being asked to meet more and more social needs of children as opposed to straight academic needs. This kind of contract is desirable, I think, when the board of education and the specific members of the teaching profession, through their branch affiliates, deem it to be desirable.

Therefore I concluded, from what I heard in committee, that that had worked to a certain extent. It needed some refinement, but it had worked and there were two sides that were pleased; namely, the teachers and the board of education representing the ratepayers.

I go back to the fact, as we all must, that those people elected at the local level are responsible to the electorate. Every three years, and it used to be every two years, those people must face the music. In the provincial Legislature, we get up to five years, but those people must face the music every three years on the second Monday of November.

They must come to the electorate and say: "This is what we have done over the past three years. This is how we have spent your tax dollars. This is how we have allocated the funds. Make your judgement on whether we shall be returned or whether someone else will come in, someone who wants to spend more money, less money or has an entirely different philosophy of education." That choice is presented.

When the government starts eroding the power of the local board of education, these people cannot really be held to account. One of the publications I have read on the subject picked out that point. We have the same thing as you do, Mr. Chairman, and your local and regional councils in Durham. I think regional government is for the birds, but that is another issue. Members do not want to hear about it in this debate.

In our system, the people at the local level can point the finger and say, "We would like to do this and have these services available—it is the region's fault." They point at some body which

is more distant from them. In your area, I think they are indirectly elected, Mr. Chairman; in ours they are directly elected. In our area, they are not on both councils and in yours they are. We are unique in the province. As I said, a senior level of government is blamed.

That could happen with the members of local boards of education. They could simply say, "We would like to do all these things and bring in these kind of programs, but that Metro board will not allow us to do so," and I guess there would be some justification for their saying that. We have a circumstance where this Minister of Education feels it is desirable for the Metro board to have that power in collective bargaining.

Do you have a question, Mr. Chairman?

Mr. Chairman: I was just wondering when you were going to tie this back to the amendment.

Mr. Bradley: Are you being prompted?

Mr. Chairman: No. I was consulting with the clerk whether I was right that the amendment had to do with negotiations. He confirmed that with me. Before I spoke up, I wanted to make sure I was on good ground.

Mr. Bradley: I am speaking on the entire section. It certainly does have to do with the collective bargaining process. That is what it is all about.

To go back to the bodies for bucks proposal, I see emerging from this legislation a situation in which one would never have a bodies for bucks proposal accepted. It would not be acceptable to others because of the problems it would cause with the ratification process.

My colleague the member for Kitchener-Wilmot (Mr. Sweeney) is going to speak in some detail to that aspect, as he did in the standing committee. I must say I appreciate his contribution. As a former director of education in Kitchener, he understands the detail of administration far better than I and perhaps others do.

As some of us did in the committee to a lesser extent, the member for Kitchener-Wilmot expressed concern over the veto. The minister denied that there was a veto. She said, "No, there is no veto." Her advisers in the Ministry of Education refused to accept that word, but we in the opposition could not call it anything else.

In effect, the negotiating process is such that eventually, if a reasonable provision within a contract at the local level were agreed to, in the ratification process there would be a veto of that by a certain group representing a minority in Metropolitan Toronto. That is one of the dangers of this section of the bill.

My comment to the minister, which will not do any good because she is determined, remains what it has been all along: I wish she would withdraw that section and go back to the consulting process with the boards of education and teachers to see how any problems there may be with the collective bargaining process can best be overcome by those people who must deal on a day-to-day basis with those problems.

If they perceive that the minister is going to implement at some future date Bill 127 as it exists now, I think we will see those people who heretofore might not have been at all flexible perhaps willing to recognize some of the problems the minister sees coming forward, and to deal with those in a reasonable fashion. If she just bulldozes this through the House as it is being bulldozed through, because the threat of closure is always there—

Hon. Miss Stephenson: Eight months is bulldozing?

Mr. Bradley: The minister bulldozed it through cabinet and her caucus. When it comes to the crunch, she has bulldozed it through the House.

4 p.m.

Hon. Miss Stephenson: You have a strange definition of bulldozing.

Mr. Bradley: The minister tried to impose a time allocation motion. She got outfoxed by the opposition on that. She tried to get her way on section 6 by undoing what she had agreed to in committee. That was the proposal by the member for Oakwood which was agreed to by all members of the committee. She found she could not get her way on that one, so it had to slip through. If she were compromising on all aspects of this bill, she might even find there would be less strident opposition from those of us in the opposition.

Hon. Miss Stephenson: Oh, really; there have been major amendments.

Mr. Bradley: They are not major amendments. Name one major amendment. I do not think the minister could name one amendment that either the opposition or the Chairman would consider to be a major amendment.

The Deputy Chairman: Are you speaking to section 7 right now?

Mr. Bradley: Absolutely.

The Deputy Chairman: I think you are getting into other interesting subjects.

Mr. McClellan: He is just starting to get interesting.

Mr. Bradley: That is a great compliment by the health critic, that I am only getting interesting now.

I promised I would not take the entire afternoon on this. I have outlined some of the problems. If one were to go through the briefs presented by the various teachers' federations, the Ontario Teachers' Federation and its affiliates and branches in Metropolitan Toronto, one would find total opposition to what the minister is doing.

There are even some on boards of education that foresee problems. There are even many parents who see problems arising from the lack of ability to negotiate those items which are important to local boards of education. This should not be surprising, although it is to some, because parents are now more and more involved in education.

As I have indicated, my colleague the member for Kitchener-Wilmot will be speaking on this. He has some interesting and more detailed comments to make on specific provisions. If we have the opportunity, I have a number of amendments that can be moved to this section. I have seen the amendments presented by the member for Oakwood, both in committee and introduced once again in the House, which essentially do to the bill what I think should be done to the bill, that is, to make voluntary what is mandated to be compulsory in the minister's amendments.

As I say, I will be pleased to place these amendments if we have the opportunity to do so when the time comes. I hope to secure the support of members of the government. I know the members of the New Democratic Party will be in support of them, just as we will be in support of the amendments put forward by the member for Oakwood. They are reasonable, good and well thought out amendments. I hope the government will use its logic, reason, compassion and common sense to accept what those of us in the opposition have been saying on this section of Bill 127.

I implore the minister to be open-minded. I implore the minister perhaps to take the course of action taken in section 6 in a modified form, that is to accept what the opposition says and to make voluntary what is compulsory in her bill.

Mr. Grande: Mr. Chairman, in speaking to the whole section, unlike the Liberal member, I will begin by putting my amendment to that section. Therefore, the amendment will be debated in view of the whole section.

The Deputy Chairman: I commend the honourable member.

Mr. Grande moves that Bill 127 be amended by striking out section 7 and substituting the following therefor:

"7. The said act is amended by adding thereto the following section:

"130a. (1) The boards, or any combination of them, and the branch affiliates that represent the elementary school teachers employed by the relevant boards may negotiate together and make or renew one agreement respecting teachers' salaries and financial benefits, the method by which the number of teachers to be employed by a board is determined, or any other term or condition of employment."

Is the member moving the next part of that or is that his amendment right now?

Mr. Grande: Yes. I would like to begin the debate on this amendment by saying how astonished, surprised and flabbergasted I was, frankly, in listening to the Liberal member for St. Catharines (Mr. Bradley). I think it is the first time in this Legislature that I have heard any Liberal get up to support the collective bargaining process in this province.

Hon. Miss Stephenson: Their party wanted to remove the right to strike.

The Deputy Chairman: Order.

Mr. Breagh: That's right. She was right on there.

Mr. Bradley: I would think that after Bill 179 the minister would be the last one to talk about collective bargaining.

The Deputy Chairman: Order. You have had your say. You should be wound down by now. The member for Oakwood has the floor.

Mr. Grande: I do not have to remind the people in this Legislature—1979 and Stuart Smith—that every time there was concern, a problem in Ontario regarding teachers' withdrawal of services, it was the members of that particular party who rose in this Legislature to call for back-to-work legislation.

Be that as it may, I welcome their support in opposing Bill 127. I have said, and I am on record as having said back at the Holiday Inn, as the minister will recall, that I welcomed the support of anybody in the province, the Liberal Party included, in opposing Bill 127.

Let me say as my next point that I do seriously hope the minister is not going to be standing up in this Legislature and invoking standing order 36 to close debate on this section or this amendment. While on Friday last she invoked

closure of debate on section 6, we had debated that section for a good deal of time. After a certain amount of time one may understand, although some of us do not like closure at any time, the Minister of Education getting up and invoking closure on that section, especially since the invocation of closure on that section totally negated the amendment the minister wanted to put forward.

The Deputy Chairman: The member should be speaking to his amendment.

Mr. Grande: I certainly am, Mr. Chairman.

The Deputy Chairman: You are working up to it.

Mr. Grande: I am saying to the minister that I certainly hope she will not invoke closure on this section before a lot of members, as many as may want to get up in this Legislature to speak and represent their constituents, be they parents or teachers, have been able to get up and so speak. I was just giving the minister a reason why she should not think of that course of action, the reason being that everybody should have a right to speak in this Legislature and to put forth his concerns, the concerns of parents outside this place.

The 23 hours of debate on a previous section of this bill were for nothing because the Minister of Education, while complaining about all the time it had taken to debate that section, none the less, after 23 hours of debate returned us to exactly the same point we had reached in the general government committee back in October. If anybody has wasted the time of this Legislature it is the government, which has been wasting all the time in the world.

Hon. Miss Stephenson: Your logic astonishes me.

Mr. Grande: If 23 hours of debate to return us to where we had been in October is not a waste of time and if it is logical, then it is the minister's logic that somehow does not function.

4:10 p.m.

Let me say with respect to this particular section that after all the briefs that have been presented, after all the 209 groups that have come before the general government committee, after 144 briefs that were submitted and a good number of briefs we did not have time to hear, the Minister of Education should certainly have understood the point of those briefs. The point of those briefs was—speaking specifically to this particular clause and this amendment—that by tampering with the collective bargaining

process for teachers in this province she is tampering with and destroying the quality of education.

If the minister does not make the equation, that collective bargaining guarantees quality education in this province, then she does not understand the collective bargaining process.

Hon. Miss Stephenson: You don't understand professionalism either.

Mr. Grande: I am suggesting to the minister that my opinion is that the collective bargaining process for teachers in this province guarantees quality of education. The minister, through this particular amendment and section, is attempting to divorce the collective bargaining process of teachers in this province from the quality of education. Of course, parents, people and teachers will not allow her to do that. She may do it—she has the majority—but let me tell her, people are not going to be very happy about that. This action on Bill 127 will come back to haunt the minister and this government.

Mr. Lane: That should help you.

Mr. Grande: It certainly will help. Politically, my friend, it will help, but in terms of proper education delivered to kids, it does not help one iota. My concern in this Legislature ever since I came here in 1975 has been children's education and the delivery of services to those kids.

Mr. Lane: This isn't going to change it a bit.

Mr. Ruprecht: That's the tragedy of it.

Mr. Mackenzie: That is your view of it. A lot of people don't agree with you.

Mr. Grande: It is not a matter of a lot of people not agreeing with him but of his not understanding what is going on. That is not unusual. When the minister speaks, she will speak for the member who will obediently follow.

Mr. Kennedy: Because it's right; it is easy to follow something that is right.

Mr. Mackenzie: Get up and speak on it and tell us all these pearls of wisdom.

The Deputy Chairman: Order. The member for Oakwood does not need all this assistance right now; he is trying to speak to his amendment.

Mr. Lane: He needs a lot of assistance.

The Deputy Chairman: I am trying to get both of you to stop.

Mr. Grande: Mr. Chairman, this particular section of the bill can be entitled, Shoot the Teacher. This section is the gun that is used to shoot the teacher.

Hon. Miss Stephenson: You have more fictional flights of fancy than anybody I know.

Mr. Grande: This particular section is scheduled to do nothing else but undermine and emasculate the collective bargaining process for teachers in Metropolitan Toronto and, in due course, the collective bargaining process of every teacher in the province—103,000 teachers.

I want to say briefly that this particular section does not belong in this bill. This has been said over and over again but the minister and the government do not seem to want to understand. If the minister wants to amend the collective bargaining process for teachers, amend it in the proper legislation that we have—Bill 100, the School Boards and Teachers Collective Negotiations Act for teachers in this province.

One does not do it through the Municipality of Metropolitan Toronto Act. That will change the collective bargaining process for only 25 per cent of the teachers of this province. It will discriminate between the teachers of Metropolitan Toronto and those outside of it.

In Bill 100, the School Boards and Teachers Collective Negotiations Act, one of the sections states very clearly that any item that is brought before the bargaining table is to be negotiated. The amendment we are talking about today, this section, says no such thing. This amendment says only certain items are going to be debated at the collective bargaining table—

Hon. Miss Stephenson: At the joint table.

Mr. Grande: —and after the master agreement is signed, sealed and delivered, one may bargain at the local level.

Hon. Miss Stephenson: No, simultaneously; read it.

Mr. Grande: The minister points out that it says it could be done simultaneously. Yes, it could be done simultaneously, but the fact is that one has to be signed before the other. What this amendment does is to divorce, to separate in the collective bargaining process itself, teachers' salaries, benefits and the formula by which the teachers are appointed or given to a board, from the local concerns and the quality of education. The collective bargaining process cannot be undermined in this fashion. I and members in this party will stand up at any time in this Legislature in defence of the collective bargaining process.

This legislation is shooting the teacher. The Minister of Education does not understand how that happens, so I will try to be as blunt as I can and put it forward in as clear a way as I can in

terms of how the shooting of the teacher occurs in this province through this bill. On Thursday, September 23, 1982, the Treasurer (Mr. F. S. Miller), the Minister of Economics, stood up in this Legislature and made a statement regarding the introduction of Bill 179, the wage control bill that we took a little time in debating.

On page 4 of that statement, the Treasurer said: "In the last year the Ontario public sector saw an employment increase of over 15,000, almost entirely in the education and health sectors. During that same period, private sector employment dropped by 82,000 jobs." The Treasurer pointed out this was the reason the Davis government made the determination that Bill 179 controlling public sector workers should be brought in.

The motivation is clear in that paragraph. We have too many teachers in this province; we have too many people involved in the educational sector. I am suggesting that through Bill 127 this government is attempting to get rid of teachers, and the beginning point is Metropolitan Toronto.

Interjections.

4:20 p.m.

Mr. Grande: Let me say to the minister that the firing of teachers in Metropolitan Toronto is not a new phenomenon; it has been going on for the past three or four years. Boards of education have attempted, each in its own way, to fire teachers and to let teachers go. We have heard of the North York Board of Education, the Etobicoke Board of Education and the Scarborough Board of Education firing some of their teachers.

Two boards of education in Metropolitan Toronto have made the determination they do not want to fire teachers. They have made the determination that although these are difficult times, they want to work with the teachers they have to decrease the class size in the classrooms and thereby maintain teachers.

Bill 127 says to those two boards, which happen to be the Toronto Board of Education and the York Board of Education: "Absolutely not. You cannot do that. If you want to reduce class size, what you have to do is make sure that is negotiated at the Metro level." Those two boards know darned well that at the Metro board level they are in a minority.

Therefore, it is this legislation and this section which take away and undermine the priorities a local board of education has decided upon, the priorities the trustees of those boards of educa-

Mr. Breagh: He is not supportive of the bill, but he understands it.

Mr. Grande: He is not supportive of the bill, but he understands the process.

We have been saying that by the government's imposing, mandating and forcing the teachers and the board to bargain together, it makes the bargaining process longer than it should be, with a lot of hurdles and problems to solve. I ask the minister to leave it optional; it has been working well.

I do not want to use my own words. I will go back to the Minister of Education's words, "The bargaining in the educational sector has been working well and there is no need to tamper with it."

I have mentioned before, and the minister cries "foul" every time I have done so, that the Matthews commission, which was set up by this government to look at the collective bargaining process for teachers in this province, has said in its report that joint mandatory bargaining is not needed.

I want to make a very simple remark about the Education Relations Commission. The Chairman may recall that this report, from 1980-81, is the report my party forced—I guess that is the right word—to be sent to the standing committee on social development for study and to have people from the Education Relations Commission come before us to give us the benefit of their expertise in terms of whether the collective bargaining process was working. The reason we did that was that this report is in total contradiction to what the government is doing in this bill.

I want to read into the record the points made in this report. It says:

"1. The length of negotiation declined in every panel, elementary, secondary and separate"—that is for 1980-81, admittedly.

"2. There was a significant reduction in the number of dispute resolution stages provided under Bill 100 which were utilized for the parties.

"3. There was a significant reduction in the number of third parties which had to be appointed by the Educational Relations Commission.

"4. The number of fact-finding appointments required under the act showed a large drop from 1979 to 1980." A good sign, Mr. Chairman. "At the same time, there was an increasing appointment of mediators prior to fact-finding, a strategy recommended by the Matthews commission.

"5. There was a large reduction from 1979 to 1980 in the number of last-offer and strike votes

supervised by the commission. Indeed, the number of such votes was the lowest since the enactment of Bill 100." That takes us back to 1975.

"6. There were only four strikes during the reporting year. Two of those were a carryover from the previous negotiating round."

4:40 p.m.

If anybody is trying to tell me that teachers' negotiations are in disarray in this province, the Education Relations Commission talks about only two strikes in 1980-81. I say the collective bargaining process is working well and does not need to be undermined by this government and by the Minister of Education in particular.

"7. The trend to multi-year agreements continues despite the existence of a high and rising inflation rate and a great uncertainty in the economy in general.

"8. The commission was successful in attracting new individuals with very high qualifications as third-party neutrals.

"9. The commission formally mounted preventive mediation and grievance mediation programs to assist the parties in their day-to-day and collective bargaining relationships."

Let me quote one paragraph on page 3: "Although the above is not meant to imply that there will not be ups and downs in teacher-board bargaining in the province, the 1980-81 experience does constitute the first reversal of some troublesome trends and tends to validate the ERC's view that the collective bargaining process in Ontario education is functioning well and is in a fairly healthy state."

With that background, the Matthews commission report and the 1980-81 report of the Education Relations Commission, we have the Minister of Education bringing in a bill to do nothing but undermine and increase the acrimony in terms of teacher-board bargaining. I do not want to read motives into it, but sometimes it is to the benefit of this government for teachers' collective bargaining processes in this province not to proceed well and be in a healthy state.

Therefore, I suggest that unless the minister accepts the amendment I put on the floor, the collective bargaining process is going to be jeopardized.

I am sure no one in this province wants to see teachers withdraw their services. We want our students in the classrooms. We want our teachers in the classrooms, teaching and doing the job they know how to do best. Let us not put obstacles in front of these people, in front of

teachers and boards, to do the job they have gained expertise in doing in terms of teaching in the classroom and having a collective bargaining contract.

The minister is trying to put—the only thing that comes to my mind is an Italian expression I will not be able to use here, the minister will not be able to understand it.

Hon. Miss Stephenson: Try me.

Mr. Bradley: She may understand. She has probably heard it in public meetings.

Mr. Grande: Then I will say it in Italian.

[Remarks in Italian]

Hon. Miss Stephenson: No.

Mr. Grande: The minister does not understand it.

Hon. Miss Stephenson: Yes, but I don't agree with you.

Mr. Grande: In other words, she is trying to put obstacles in the process. I will give her a literal translation: She is trying to put a bat between the spokes of the wheel. I know there is an idiom, but it does not come to mind.

I want to talk briefly about the consultation process, because I know the minister feels embarrassed by the consultation process between teachers and the Ministry of Education. Some time in December there was an article in the *Globe and Mail* in which the minister said: "Well, there are all the consultations we do with teachers in this province. We are forever in consultations. We talk informally all the time." That left the impression in people's minds that somehow consultation is at its best with all the time the minister and the ministry spend on consultation with teachers.

Referring to this section of the bill, the fact remains that there was absolutely no consultation with the relevant teachers' groups in this province, the Ontario Teachers' Federation, the Ontario Secondary School Teachers' Federation, the Ontario Public School Teachers' Federation and the Federation of Women Teachers' Associations of Ontario. When the minister says, "Yes, we consulted," she consulted only on the amendments I was talking about before in regard to Bill 100. There was no consultation on Bill 127.

Hon. Miss Stephenson: Were you there?

Mr. Grande: I do not have to be there to know what is going on in the ministry. Some people do speak to me and I have certain information. The fact is, there was no consultation on Bill 127. The record actually presented by Mr. McKay,

the acting director of the policy analysis and legislation branch, says basically there was no consultation.

The minister said in a letter, dated January 19, 1982, and sent to Mr. MacArthur, who is or was the acting secretary-treasurer—I am not up to date on that—of the Ontario Teachers' Federation: "No decision has been made as to which of these routes will be followed. Proposed legal wording for the proposal is included in this package for the sake of completeness."

In other words, she says, "We will either bring in these amendments to Bill 100 or we will bring these amendments in through the Municipality of Metropolitan Toronto Act." All the people knew was it was going to be one or the other. Nobody knew about the details of the legislation until she introduced it in the Legislature in May 1982.

I read with considerable interest an article in the *Globe and Mail* today, written by Alden Baker, with the headline, "Support Runs High for Direct Election in Metro Toronto." The Minister of Municipal Affairs and Housing (Mr. Bennett) is quoted in this article. The article says, "Mr. Bennett said he is aware that 'some people fear that if we go this route it is a step toward one form of government'—the disappearance of the local municipalities." However, he did say, "We are willing to look at such an arrangement," meaning direct election at the Metro level.

If the Minister of Municipal Affairs and Housing is talking about looking at an arrangement for direct elections in Metro, why is the Minister of Education strengthening the Metro board? Why does she not withdraw this bill until they decide what to do in terms of direct elections in Metro? Once we do that, at least this bill says there is a direct accountability between the people who make the decisions and the electorate.

4:50 p.m.

Right now, as it stands, there is no such beast as direct accountability. By the very nature of that election, the chairman of the Metro board, who is a trustee in Etobicoke, cannot be a representative of the people in East York, in the city of Toronto or in North York. Therefore, the question is: if the government is thinking about and willing to look at the arrangement of direct elections at the Metro level, I repeat, why does the minister not withdraw this bill until that becomes a reality? Then we can look at it again.

But, of course, as the member for St. Catha-

rines said, the minister's reputation is on the line with this bill. The minister has gone so far, she has locked herself in this issue for such a long time, that it is impossible to achieve even a modicum of political flexibility. There is no political flexibility there.

I want to refer to one aspect of this amendment and talk about the Metropolitan Toronto School Board and the imposition this bill puts on the area boards in Metropolitan Toronto in the sense that they will be forced to jointly bargain at the Metro level. The assumption that the formula by which the Metro board passes on teachers to the area boards, and the formula by which resources flow from the Metro board to the area boards, are sensitive, has to be questioned; that assumption is false, it is incorrect.

I am not going to go back to the remarks I made the other evening on this area. I am not going to talk about the needs of children, although I can talk about that for hours and hours on end. However, the minister should understand that when the Metropolitan Toronto School Board makes the determination that the borough of York will have X teachers, the borough of York will have to drop some of those programs if the number of teachers the Metro board says they could use is less than the number of teachers they currently have. If it is the same, what it means is that the York Board of Education cannot institute new programs for kids. In other words, either the status quo is retained in terms of teachers for that board or else the number of teachers drops.

The minister has to appreciate that when the number of teachers drops—no, I do not want to talk about pupil-teacher ratio—the class size has to increase. If these boards are going to put Bill 82 in effect and are going to be responding to the needs of the exceptional children in their communities, then more and more teachers have to go into the special education area, which means more teachers are going to have low class sizes, because by its very nature special education means a class size of eight, nine, 12 or 16 kids, depending on what kind of special education class it is.

The more special education teachers are needed, and the more the Metro board does not produce such teachers for an area board, the more there are going to be increases in the size of classes. The normal children, so to speak, are going to be in a class that is much larger than the class they were in the year before. This is one effect of this bill.

The other effect I want to address myself

to—and probably later on at another time I will have other things to contribute—is school closures. Again, if the number of teachers an area board has is going to decrease, and the class size is going to increase, then schools on the borderline, schools that are at the 200 level, as the Ministry of Education reports have been talking about since 1969, are going to be up for review with the possibility of closure.

I mentioned the other night that a lot of schools in Metropolitan Toronto are up for review and closure. East York has four, Etobicoke has 22, North York has 34, Scarborough has 21 and York has four with less than 200 enrolment.

Hon. Miss Stephenson: And Toronto?

Mr. Grande: I have no idea. I do not have that information.

Hon. Miss Stephenson: It was given to the member by the chairman or the director.

Mr. Grande: Was it 20, 25, 30? I just do not have that information with me.

Hon. Miss Stephenson: Thirty.

Mr. Grande: Toronto has 30. Rosedale Public School is one of those that is slotted for closure, and West Preparatory is another. Maybe the Attorney General (Mr. McMurtry) should take comfort in the fact that community is going to have its school closed.

The concern about school closure, and it has been shown as one of the direct effects of Bill 127, is that neighbourhoods deteriorate. Basically neighbourhoods go down the drain because the school serves as the core of a community. The school serves as the core around which activities within the community revolve. Let me put it to members the way David Lewis Stein put it in the Sunday Star. He said, "Bill 127 will affect the quality of education, the closing of schools and, I think, even the value of property." I am quoting from the article in the Sunday Star of February 20, 1983, entitled "Bill 127 is Bad for Everybody":

"Stephenson argues that joint bargaining concerns only salaries and the number of teachers to be employed in Metro. Once a local board has received its allotment of teachers, it can 'spend' this allotment any way it chooses." The minister says that is local accountability. That is accountability to the local level. "If, for instance, it wants to have more special education teachers and fewer gym teachers, it is free to do so. This is supposed to preserve local autonomy.

"It won't. The principle of parliamentary democracy is that parliament is supreme because parliament controls the flow of money. The

team of trustees doing the Metro-wide bargaining will be supreme here because it will control the flow of money to the teachers. That means local boards will be limited in the number of special classes for kids who need special help, no matter what Stephenson says.

"Even if you don't have children in the schools now, you will be affected by Bill 127. With the size of staff being dictated by Metro-wide negotiations, local boards will find it tougher to keep schools open when enrolment starts to drop."

5 p.m.

Mr. Chairman: Is this on the amendment?

Mr. Grande: Yes, Mr. Chairman, I am suggesting that joint bargaining at the Metro level will decrease the number of teachers each area board will have and consequently that decrease in the number of teachers will increase class size and, as a result, some schools that have a low enrolment will be closing their doors.

Let me give the minister some basic information and research. I will not be long. My colleagues—

Mr. Chairman: You said it all in that one statement.

Mr. Grande: Yes. My colleagues are anxious to involve themselves in this debate. Therefore, I want to give them the opportunity. Since 1974, not here in Canada but in the United States, there have been studies of the effect of school closures on communities. A fellow by the name Richard L. Andrews, PhD, associate professor of educational administration, University of Washington, did this study. I just want to quote the conclusions, if I may. The studies show that:

"1. Neighbourhoods quickly diminished in viability after the elementary schools were closed. Some neighbourhoods, depending on the area, were completely destroyed.

"2. Support for public education diminished in the districts as a result of the closure decision.

"3. Extreme care must be taken in order to avoid turning the school district towards further racial isolation of its pupils.

"4. In some cases the wrong schools have been closed and new schools will have to be built in those areas.

"5. Property values declined in areas where schools were closed.

"6. Crime rates increased in the areas where schools were closed.

"7. Young families did more selective buying of houses in areas where schools were closed

and there was a sharp decline in students residing in those areas."

The consequences of this bill are really astronomical. We are talking about deterioration of neighbourhoods. We are talking about crime and violence increasing as a result of an elementary school being closed. These are statistics and conclusions that come from the American experience. The Minister of Education rightly says: "Hey look, we are different. We are in Canada." I agree, we are in Canada. So, therefore, let me put aside the American research and let me go to some Canadian research in terms of schools closures and their effects.

I am referring to a study that was done in 1980 by the Bureau of Municipal Research, by Mary Lynch, executive director, and Linda Mulhull, research associate, where these researchers said:

"The bureau believes that a school closure should be viewed as a last resort and not be accepted as inevitable. By boards accepting closure as a fact of life, they are also accepting that the question of closure is beyond their control. It is not. If boards make a commitment to keeping schools open and use innovative ways to redistribute the resources available, many schools which have been threatened with closure can remain open. It takes a change in philosophy and a broadening of the basic thinking.

"Automatic closure is not a long-term solution, but many times it is an incremental one. In fact, closures can create many more problems than they solve. Financial ones are not solved since there are real indications the costs are ultimately not saved by closing of schools.

"Enrolment is worsened since with every closure there is a switch to separate and private schools, resulting in even fewer pupils. The effects on neighbourhood and children are only now being discovered. These and other factors reinforce the fact the boards in Ontario must widen their perceptions."

We have two boards of education in Metropolitan Toronto which say, "We do not want to close our schools"—

Mr. Bradley: Dooney Gibson in the Toronto Star agrees.

Mr. Grande: In terms of the closure of schools, there are two boards in Metropolitan Toronto, the Toronto and York boards of education, which say: "We do not want to close schools. We do not want our teachers fired."

What this bill does is take power away from those two boards who want no part of Bill 127,

and the Metropolitan Toronto board says: "Yes, you will have to close your schools. You will have to increase the class size because we are going to give you fewer teachers." The collective bargaining process is undermined and the result of this section is going to be the destruction of neighbourhoods and public education in Metropolitan Toronto.

The minister is shaking her head. I do not want to prove her wrong. I just want her to withdraw this bill so that we will not have to pick up the pieces three, four or five years down the line.

Mr. Chairman: Just getting caught up, you put the amendment to section 7, dealing with 130a(1) of the act. How are we doing this? Are we going to vote on each amendment or just carry on?

Hon. Miss Stephenson: The member for Kitchener-Wilmot has decided he wants to speak.

Mr. Chairman: All right. We are speaking to the amendment to 130a(1).

Mr. Sweeney: Mr. Chairman, I think you would probably agree that the nature of the amendment is really at the heart of what this section is all about. Basically, what this section says is that there shall be compulsory joint negotiations. The amendment, on the other hand, says there may be optional joint negotiations. I do not see how much further apart we can get than that. Consequently, it leaves a lot of room for discussion.

I want to go on record as saying that we would certainly support this amendment if the minister is open to reconsidering her position. I think she will appreciate from the remarks made in committee and those of my colleague our education critic and a few I will make, that we believe we should return to the position of voluntary or optional joint negotiations. We should return to the position from whence we came or from which we are quickly and rather drastically coming.

We are quite supportive of the concept that the various teacher affiliates and boards within the Metropolitan Toronto complex should have the right to decide among themselves whether or not it is in the best interests of the pupils they serve—I would like to emphasize that because I hope any comments I make will reflect that—it is in the best interests of the pupils who are being served that teachers and boards of trustees and the Ministry of Education try to come to decisions. That is what is at the base of the

whole thing. Therefore, we would most certainly support the concept of optional joint negotiations.

5:10 p.m.

There are many times when boards and teacher affiliates in the Metropolitan Toronto area have decided it is in the best interests of their pupils and in the best interests of their ability to serve those pupil needs that they have engaged in joint negotiations. Really, at the heart of the whole thing is where we are now and where the minister and her ministry would like to take us, and that is from a position—I knew the Chairman would appreciate that—of optionality, from a position of having local decisions as to what is best for the students, to a position of compulsory activity and towards a position which we believe is not necessarily—and that is really the key—in the best interests of the students I hope we are all trying to serve.

Surely when one has that kind of a choice, that which is best, which has been demonstrated to be in the best interests of the students, and second that which is highly unlikely to be; and I would certainly invite the minister, when she chooses to get up to respond to our comments or to make her own observations, to indicate to us just how this legislation, and in particular this section, is going to be in the better interests of the students we are trying to serve than what we now have in place, that is really what I would like to hear the minister tell us.

If she can demonstrate to me that the needs of students in the Metropolitan Toronto area and under the jurisdiction of the local school boards, are going to be better served by this legislation and in particular by this section of the legislation, then I would seriously reconsider my position in opposing it. I really would, but I have listened to the minister, I sat through the committee hearings, I listened to the various points that have been made up to this time, and I can honestly say I have not yet heard an argument which would convince me.

I am trying to be open about it, but nothing yet has convinced me that the needs of children, the needs of students, are going to be better served under this legislation, under this section of the legislation, than under the practice which is currently in place. When one comes down to it, that is really what it is all about.

If that does not happen, then I do not know why we are here, I do not know why we are engaging in this debate. I do not know why this legislation is on the floor of this assembly if we cannot demonstrate that. I have to challenge

this minister and this government to demonstrate that; not only to me but to the other members of the Legislature, including the members of her own governing party, to the parents who are concerned about the quality of education which their children are going to get, and certainly to the teachers who are concerned about their ability to provide quality education, granted within the limits of our financial ability.

Let us get that out of the way. No one is saying there is a bottomless pit or a bottomless bucket to spend on any public service in Ontario, whether social services, health services or educational services. We all realize that. That is not really the issue here. The issue is how do we best deal with what we have? How do we make the proper allocations? How do we spread the resources that are available so that they best meet the needs of the people whom we are committed to serve?

When we were discussing the previous section, section 6, I made the observation that when one looks at section 6 and then at section 7 which we are debating now, one has this terrible sense of internal contradiction, one has this terrible sense of, if I may, schizophrenia; and I suspect that is something the minister would understand perhaps even better than I, given her medical background, I do not pretend to be any expert in that area.

I really cannot understand how we have already passed section 6 and the principle which is behind that and now move into section 7 and the principle which is behind that, and not have this terrible sense of contradiction, this terrible sense of schizophrenia. What section 6 said was that the Metro board was not responsible, that individual boards were responsible for their surpluses and their deficits.

But here we come to this section, which says: "Wait a minute now: Toronto, North York, East York, York, Scarborough and Etobicoke, you are not going to be responsible any more. We are going to take it away from you now. We have loaded you up with the responsibility for our funding mechanism in terms of raising your money and your surpluses and deficits, you are blooming well going to be responsible for that.

"But when it comes to making the decisions as to how you are going to use that money, how you are going to pay your teachers, what kinds of benefits you are going to give those teachers, how many teachers you are going to hire; oh no, you are not going to be responsible for that, the Metro board is going to be responsible for that. They are going to decide how many teachers

there are going to be, how much the teachers are going to get and what various benefits the teachers are going to get; that will not be done through individual boards."

I do not know how else the minister looks at it. Quite frankly, I am tempted to go so far as to say it is politically dishonest to, on the one hand, load up the individual local boards with the kinds of responsibilities we did, such as fiscal responsibilities under section 6, and now to come along to section 7 and say, "But you are not going to have the responsibility of making those kinds of critical decisions upon which the quality of education really depends."

Hon. Miss Stephenson: The member is having a schizophrenic hallucination.

Mr. Sweeney: Not at all. As a matter of fact, I could not help but notice as I was reading back through the minutes of the standing committee on general government of Wednesday, October 20—and Mr. Chairman will appreciate this, because one of the words the minister used was "discombobulate." If I understand that, it means to throw a certain amount of confusion.

Mr. Chairman, I notice you are looking it up in the book. As a matter of fact, two of my colleagues thought it might be unparliamentary language. The member for Parkdale (Mr. Ruprecht) and the member for Wentworth North (Mr. Cunningham) challenged the minister, on page 20 of the minutes, saying: "Gee, Madam Minister, we do not know whether that is proper parliamentary language or not." The member for Wentworth North even went so far as to say, "We think you should use a word more in the vernacular."

I think most of us know that the word "discombobulate" simply means to throw confusion; to try to mix things up; to put a smokescreen up, so that we are not really sure what is going on.

I think that was an excellent word. Discombobulate really does describe what is happening here when we compare section 6 of this bill and the principle behind it, the kind of responsibility the minister gives to the local board, with the principle behind section 7 that the Metro board is going to have the ability and the decision-making powers to decide with respect to the numbers, wages and benefits of those teachers. She really is introducing the concept of discombobulation. I am assuming there is such a word as discombobulate.

That is really what it is all about. Am I right?

Hon. Miss Stephenson: It is a perfectly legitimate word.

Mr. Sweeney: Thank you very much. I am not arguing that it is not.

Hon. Miss Stephenson: And it is not discombobulation, it is irrationality.

Mr. Sweeney: That is where we disagree. I suspect we have had our disagreements all the way along and we are going to continue to have our disagreements, but I really think if the minister wants to be—and I am not using this term in any pejorative sense, I want to make that very clear; I am not imputing motive—politically honest about this legislation, and I say this in all openness and being as fair as I can, then she can have either section 6 or section 7, but she cannot have both.

5:20 p.m.

I do not happen to agree with Bill 127, but I fully appreciate the fact that it is here, that we are going to debate it and that ultimately it will probably be passed with the majority the government has. I accept that. It is the reality the minister speaks of. It is the reality the Premier often speaks of when he tells us not to forget March 19, 1981.

Mr. Bradley: The realities of March 19.

Mr. Sweeney: The Premier keeps telling us to remember the realities of March 19, 1981, and there are a few people in the back benches of the government who will remember it very clearly. It is the only reason they are here. I do not know how much longer they are going to be here, but that is the reality of why they are here.

Mr. Bradley: Overnight guests.

Mr. Sweeney: Of course, the Premier is telling us very clearly that the government has the majority and is going to do what it likes with it. I accept that. I accept that that is the parliamentary process. I accept the fact that it is the democratic way of doing things. We had our chance the same as they did. We used different tactics from theirs. They were successful and we were not to the same extent.

Mr. Bradley: But all they got was 44 per cent of the vote.

The Deputy Chairman: Order.

Hon. Miss Stephenson: And what did you get?

Mr. Bradley: You got 44 per cent and you got 70 seats.

Hon. Miss Stephenson: You got 33.

Mr. Sweeney: I would suggest that even the realities of March 19, 1981, do not relieve the

members, the minister or the government of Ontario of their responsibilities to be consistent and to be politically honest with respect to legislation, and I am stating that this legislation does not do that. You can have section 6 or 7 but not both, because there is an internal contradiction when you look at the two of them.

Let me move on. The point I have to disagree with very strongly in this particular section, and it is highlighted very clearly with the amendment our colleague the member for Oakwood has put to us, is the inevitable conflict between the Metro-wide agreement—I know the minister is very sensitive to the term “master agreement” so we will use the term “Metro-wide agreement”—and the local board agreement.

There are inevitable conflicts there, and this is the second reason I have grave reservations about this particular section of the legislation. The minister is surely aware of the fact that we have existing conflicts within the education system of Ontario; we have natural existing tensions, if she does not like the word “conflicts,” between teachers and trustees, and between the boards of trustees and the taxpayers.

There are all kinds of them that I could mention: students and teachers, and on and on the list goes. In other words, they are inevitable. They are part of the human process by which we conduct an education system in this province, by which we conduct an education system in this Metro Toronto area. But while we must, to a limited extent anyway, accept some of those inevitable tensions because they are a part of the process, why do we introduce at this time additional conflicts and tensions that are not necessary?

Mr. Chairman, I do not think you were at the committee hearings, and you probably will not recall a particular point I raised at that time. It was another conflict, by the way: the conflict between two particular subsections of section 7. It was the whole question of whether or not a local agreement could have something that was at variance with the general Metro-wide agreement.

I think the minister and her advisers will very clearly recall that an attempt was made to persuade me that there was no conflict, that it was all very well to say, as a particular section of the act still says, that in order to get a final Metro-wide agreement, a majority of the boards representing a majority of the teachers had to agree to that section. That is in there.

Hon. Miss Stephenson: Double majority.

Mr. Sweeney: That's right. But then there was at that time another section in the act, which has since been removed but I need to mention it to make the point that will follow, Mr. Chairman. I am sure you will permit me to do that.

Mr. Foulds: Of course.

Mr. Sweeney: If a variance was introduced at the local level and there was no unanimity at the Metro level, that variance could not stay. In other words, we were saying that, on the one hand, one needed a majority and, on the other hand, one needed unanimity. What one could do is give the smallest board in the entire Metro area a veto over a decision or a variance in approach which the largest board could have put forth.

There was quite a bit of discussion about whether this was appropriate. Both the minister and a couple of her advisers happened to be present and they attempted to persuade me this was consistent. Without going on much longer about that point, the long and the short of it was that after we came back from the noon recess that section was removed. The minister was well aware that was not my intent in bringing it to her attention.

I accept the concept of variance. I think it is essential. As we go on, we are going to draw to the minister's attention more times than once that we have to allow for a greater degree of local option, particularly in an area such as Metro Toronto where there are great differences of needs and different ways of meeting those needs. If one goes from Etobicoke, on the one hand, to certain sections of North York or of the city of Toronto itself, on the other hand, those needs still have to be met.

The minister will argue, when she has the opportunity, that the legislation provides for those options. We argue it does not provide for those options to the same degree that our alternatives would, or to the same degree we think it could so easily do. We think the minister is throwing up unnecessary roadblocks to providing those options that are necessary really to meet the needs of children. That is what I mean when I say there are unnecessary tensions and conflicts built into this legislation.

Another subsection of this section that ties in with the amendment, because it flows naturally from it, is the introduction of two new bodies into the whole operation of teacher negotiations with the local boards of trustees. To the best of my knowledge, and I am quite prepared to stand corrected, it was not possible before to have the Ontario Labour Relations Board brought into

the negotiations or what would flow from the negotiations between teachers and trustees. I do not think that was possible at all.

We are introducing that under this section. I have grave reservations about doing that. It is not a good idea to get the whole question of a broader type of labour relations brought into the teacher-trustee relationship. I do not think it is good. I have to ask the minister whether it is necessary.

It then goes one step further and brings in the Supreme Court. I think it is possible for an individual person to take an action before the Supreme Court that might have something to do with education, but I do not think it was ever possible before for a teacher-trustee negotiation process to end up before the Supreme Court.

We start using terms such as "filing in the office," "the Supreme Court," "enforceable" and "judgements," and we bring in a sense of legalism and jurisprudence that was never there before. I have to ask the minister why. I would be happy to hear what she says to that because I genuinely believe it is bringing in an element of conflict and tension we do not need.

The minister will realize at this point that I am referring to various elements and aspects of that tension. We should be trying to pass legislation here that reduces tension and conflict, not increases it. That is why we are so unhappy with this legislation and with this section of the legislation in particular.

5:30 p.m.

The previous two speakers have referred to Bill 100, which is the proper place to deal with negotiations between teachers and boards of trustees. I have to ask this again. I really am at a loss once more to know why this kind of legislation was put in this form. I do not see why it could not have been done through Bill 100. The minister has made some attempt to give us some reasons, but once again we have not heard a reason which is satisfying.

Hon. Miss Stephenson: I can only give the member the reasons that legal counsel give me. I am not a lawyer and neither is the member.

Mr. Sweeney: No, I certainly am not. I do not pretend to be one. I do not think I have ever pretended to be one. The point I am concerned about is the focusing in on one part of this province, on one particular group of teachers and trustees in dealing with this kind of legislation.

The minister should not be surprised if there is a great deal of agitation outside the geographical bounds of Metropolitan Toronto. We talked

about that in connection with the other sections and I think she should not be surprised here. The people I have spoken to in my area—and the minister knows I get around to many other areas of the province just as she does; I get a chance to talk to quite a few people in the teaching profession—give me the sense that the minister is using a divide-and-conquer tactic. I am not sure if the minister has that intent.

I will not impute motives, but I think the minister has to recognize what the perception is and take cognizance of that perception. When people in educational circles oppose what she is doing, the minister has to understand whence her opposition comes. That perception of divide and conquer, of using one specific piece of legislation—applicable at least for the moment only to Metro Toronto—instead of using a more general piece of legislation, really gives weight to that particular concern and perception.

If the minister does not want that, she has a lot of explaining to do. As yet, she obviously has not explained it to the satisfaction of the people concerned.

We have spoken before of the need for variety, of the need to meet need in different ways. Quite frankly, that is what we have had in this area. We have had the mechanisms, the processes, the procedures in place that allowed for variety and that allowed, yes, for dissent. Perhaps the minister would just look back and ask herself under what kind of conditions the joint negotiations, which were at one time voluntary and optional but nevertheless taking place, broke down.

The minister will recall that in the case of the city of Toronto they broke down, as my colleague the member for St. Catharines said when he spoke earlier, when the city wanted to make a tradeoff with its particular group of teachers so there would be fewer dollars flowing to each individual teacher and there would be more teachers—

Hon. Miss Stephenson: For one year.

Mr. Sweeney: —but with the same amount of money.

I have said it so often to the minister. I really have difficulty understanding why that should concern her. They were prepared to agree on a certain sum of money, a total pot of money that they were going to distribute in ways suitable to the trustees, the parents and the teachers. If it was suitable in the eyes of those three groups of adults, so significant in the lives of children, and therefore suitable to the children, then why not? Why should we oppose that kind of thing? Are

we concerned that some other board in Metro might pick up the idea? Hallelujah. If they are prepared to make the same kind of tradeoff, why not? What are we so all-fired concerned about? I think that is what we really have to look at.

What this particular section of the legislation says is that we are afraid of variety and dissent; therefore, we are going to bring in legislation which makes it impossible to introduce that kind of variety and that kind of dissent.

I am not really sure whether the government members fully appreciate the significance and implications of this legislation. If they do, then fine. If they vote as they believe they should vote, then that is their decision. I have a real concern that there are members over there who are going to vote in support of this legislation without being fully cognizant of the implications, the consequences and what flows from it, without being fully aware of how one day—and maybe a day that is not so far away—it is going to affect their ridings, their constituents and the quality of education in their areas. That is my concern. All I ask is that they take that factor into consideration.

In the short time I have been referring to this section—I think it is almost half an hour now—I would ask carefully if the minister would consider reintroducing the section that was in originally and allow some form of variance from the Metro-wide agreement or master agreement, whatever it is called.

Interjection.

Mr. Sweeney: The section that was there before said if a local agreement contained a clause or section that was at variance with the general agreement, then that particular section could stand if there was unanimous consent, I agree.

Mr. Bradley: That meant a veto.

Mr. Sweeney: That meant a veto.

The minister will recall the proposal I made to her was that she make this consistent by allowing a majority decision. I even recall very clearly—I cannot remember the words I used—saying I was quite prepared to accept the principle of a majority decision on a variance the same as there was a majority decision, or a double majority as the minister refers to it, with respect to the agreement itself. I accept that. That is democracy, representative government and fairness; I buy that. Instead, the minister chose to eliminate the possibility of any variance whatsoever.

Let us come back to the point we start out with. The general Metro-wide agreement says there is going to be a decision made on the amount of money each teacher will make and the number of teachers. Let us go back to the issue that set off an awful lot of this, that an individual board can then meet with their teachers and say, "That is the decision that has been made that affects all of Metropolitan Toronto. Are there ways in which you and we can work within this decision in different ways? Is that possible?"

An agreement is made. Let us say we come back to the same kind of agreement that was made in Toronto. With that common pot of X number of dollars times X number of teachers arriving at common figure, if we take that and divide it up in different ways—

Hon. Miss Stephenson: That is the wrong example to use.

Mr. Sweeney: You think of another one when it is your turn.

Hon. Miss Stephenson: Don't use that one because you know what happened to that one.

Mr. Sweeney: All right.

Mr. Bradley: Don't let her intimidate you the way she intimidates the cabinet.

Mr. Sweeney: No. I concur with the minister that may not be the best example, but I believe the minister understands the principle I am trying to get at.

It is entirely possible that once the Metro agreement is set, one then goes back to the local boards, they sit down and begin to realize the ramifications of that Metro agreement on them and they have to make some local decisions. As long as they are operating within a particular limitation, framework or whatever it happens to be, then I really do not understand why we cannot permit the option of a variance.

5:40 p.m.

If it is not the minister's intent, the minister leaves me no other conclusion but that she is fearful of that kind of variety, she is fearful of that kind of dissent because it is going to spread. It is like a disease she is concerned about, some kind of virulence that is going to spread, and my God we have to stop that from happening.

I come back to a point that has been made earlier. What is it the minister is so concerned about in terms of diversity, pluralism in its broadest sense, variety? What is it? She says she does not want it outside the system. Why not allow it inside the system? She is sowing the

seeds for internal discomfort. That's not the word I want either—confusion, confrontation, strife; give me a couple more.

Mr. Bradley: Discombobulation.

Mr. Sweeney: Discombobulation? No, that word does not fit here, at least not what I am trying to say anyway.

Mr. Ruston: You almost said "internal combustion" at one point.

Mr. Sweeney: Internal combustion? No, that does not fit either; yes, maybe it might, it just might.

The Deputy Chairman: Just use words the Chairman can understand.

Mr. Sweeney: I am sorry. All I am trying to do is convince the minister, and I guess maybe I am not too successful, but it needs to be put on the record so that when we come back and look at this some day we will know the warning signs were put up, the red flags were raised a little bit, saying, "Be careful." We want to be sure that is there.

Mr. McClellan: Red flags?

Mr. Sweeney: Yes, I think red is an excellent colour.

The Deputy Chairman: Speak to the motion.

Mr. Sweeney: Mr. Chairman, I cannot help but recall, when I hear the kinds of interjections from my friends on the socialist left—

Mr. Breaugh: You can't call us friends.

Mr. Sweeney: When the member for Oakwood was speaking he started talking about other governments in Canada. He failed to mention that it was the socialist government of British Columbia that acted against their working people. It was the socialist government in Saskatchewan that acted against their people.

The Deputy Chairman: The honourable member is carrying himself away with a divergence.

Mr. Sweeney: It is a socialist government in Quebec that is taking the action. I think they really have to be careful about the kind of comments they make, they really do.

The Deputy Chairman: I ask the honourable member to speak to the motion on the floor. Please, speak to the motion.

Mr. Grande: Mr. Chairman, I have a point of personal privilege, since my name was mentioned in vain, basically. The member for Kitchener-Wilmot talked about British Columbia under a Bennett government, a Social Credit government. The member for Kitchener-Wilmot

spoke about the Quebec government under Lévesque.

The Deputy Chairman: That is not a point of personal privilege. I ask the honourable member to speak to the motion; that would really help matters in the chair.

Mr. Sweeney: Mr. Chairman, I suggest the member engages in what we call selective memory.

Hon. Miss Stephenson: Yes, and that is discombobulation.

Mr. Sweeney: Is that discombobulation? Okay, I am advised there is a good reason.

The Deputy Chairman: All I ask is that you speak to the motion.

Mr. Sweeney: I accept your comment, sir. We have made it very clear why we are concerned about this section. We are concerned with respect to the conflict that is going to result from it. We are concerned about the internal contradictions that it results in. We are concerned about the inability to have the kind of variance that some of the boards want. We are concerned with taking the decision farther and farther away from the people who really have to work with the kids, that is the teachers and the parents.

The minister is very much aware that these are the two bodies that are objecting the most to what she is doing. These are the two groups of people closest to the children, closest to the students. In my judgement, they have a good sense of what is happening here. That should give the minister pause to stop and think seriously about what she has done.

I ask her at the very least to reintroduce the concept of optionality rather than compulsion, to reintroduce the concept of variance rather than no variance and to be very aware of the potential for more conflict, for more internal dissent that we just do not need in education in Ontario today.

The Deputy Chairman: I will recognize the member for Beaches-Woodbine. I remind the members we are speaking on a motion presented by the member for Oakwood on optional joint agreement for elementary schools.

Ms. Bryden: Mr. Chairman, I must say I am disappointed the government is continuing to push ahead with Bill 127 rather than withdrawing it, particularly in view of the fact that something like 119 deputations came to the public hearings and 60 more could not be accommodated. There were 4,000 people at a mass rally last

October, and about 10,000 people have signed petitions against the bill. However, we still have Bill 127 before us, and we have an amendment to it by my colleague the member for Oakwood.

I feel this amendment would remove one of the largest elements of discontent with this bill, and I urge all members to support it. The amendment simply changes the word "shall" to "may" with regard to collective bargaining in the Metropolitan Toronto area, permitting the boards of education to decide whether they wish to engage in joint bargaining.

This would retain the flexibility of the present system. The system is working at present with this kind of flexibility, and it seems very questionable why anybody would suggest changing the present system when it is working.

It seems to me what is happening with this bill and in the section we are dealing with is an unresponsiveness to the electorate. Other governments, even in this province, when faced with strong opposition to a bill ultimately withdrew it. I recall the notorious police bill and Bill 19 to amalgamate the two ministries, the Ministry of Education and the Ministry of Colleges and Universities.

If we continue to go ahead with this legislation and with the word "shall" instead of "may" in the present section, there will be great disillusionment with the democratic process among the electorate. After so much opposition has been expressed to this bill, people will feel the government is not listening and there will be an alienation of the electorate.

To concentrate on section 7, I want to suggest there should have been a subtitle before section 7 was printed. That title should have been, The Collective Bargaining Straitjacket. My colleague had another title for it, Shoot the Teacher, which is a play on the title of a famous movie about teachers in the early days out on the Prairies.

This kind of bill, which I call The Collective Bargaining Straitjacket, is in the tradition of the bills this government has been bringing in lately which restrict rights and freedoms. We know Bill 179 affected literally hundreds of thousands of people and destroyed some of their rights. That legislation attacks the right of freedom of association which is guaranteed in the Canadian Charter of Rights. It denies teachers the right to bargain collectively with their own employer.

I want to read one paragraph regarding the right to bargain collectively which was contained in a brief prepared by the Canadian Association of University Teachers on Bill 179.

"The right to bargain collectively is fundamental in a democratic society and has been secured, like so many of our other fundamental rights, only after a long and persistent struggle. It is based upon the right of association recently enshrined in the Canadian Charter of Rights. If this right can be treated so cavalierly, there is no assurance that other basic rights will be respected. The real test of our democratic system is its ability to preserve fundamental rights in times of difficulty."

5:50 p.m.

Section 7 does restrict freedom of association and the right of teachers to bargain with their own employer, if they so choose, or to engage in joint-bargaining, if they so choose. By this amendment, we are simply suggesting they should have the right of choice.

I want to quote the Ontario Teachers' Federation regarding the present system in an open letter appearing in volume 8, number 5 of their special issues edition of *Interaction*.

"The strength of the current arrangement is its flexibility. Any voluntary arrangement for joint negotiations by autonomous entities depends on the continuing co-operation and goodwill of the participants, and is therefore by its very nature ad hoc. As the needs and the priorities of the parties shift, the structure is capable of evolving to a new and more responsive form. When such an arrangement is replaced with a mandatory structure, the behavioural obligations are removed; increased conflict is the likely result."

That is a very important statement and does suggest that rather than promote harmony between teachers and boards, it will lead to unrest and disharmony; it could even lead to delays and disruptions in bargaining. In recent years we have had relatively peaceful bargaining, but there is a danger with this kind of straitjacket that the tensions will be increased and the possibility of trouble will increase.

One of the important reasons I oppose the collective bargaining straitjacket is that it shifts all the important decisions from the local boards to a nonelected Metro board. The decisions in the areas of financial matters, including salaries and benefits and the numbers of teachers to be employed by each area board, are specified as subject to joint bargaining.

In a recent letter to members of the Legislature, the chairman of the Metro board described the bill by saying it "preserves local issues for negotiation and self-determination at the local level." What local issues will be left if all

financial matters and staffing decisions are removed from the local level? What incentive is there for area boards to sit down with their teachers if the Metro board has already determined the basic financial framework and staffing numbers?

This framework effectively will block any local initiatives beyond the lowest common denominator adopted by the Metro board regardless of the need for special programs in special areas. Just to nail down the block on local initiatives, new subsection 130i (1) states: "No board shall implement a term or condition of employment that is at variance from or inconsistent with an agreement mentioned in section 130a," which is the clause giving the Metro board jurisdiction over all financial matters and staffing numbers.

Who is going to determine what is inconsistent or at variance from the master agreement? Presumably it will be the negotiators who attempt to use that nebulous power to negotiate on local issues with their board, but it makes the Ontario Labour Relations Board the court of appeal for final determination of the question of what is a local variance or inconsistent.

Not only that, the Ontario Labour Relations Board is made the enforcer. It can issue a direction to any board which attempts to implement a term found at variance with the master agreement, and the direction is enforceable in the same way that a judgement or order of the Supreme Court is enforceable.

This kind of straitjacket will not promote good collective bargaining. It will lead to arguments about jurisdiction and interpretation. It will lead to delays. It will lead to frustration of local bargaining committees.

One area that concerns me is the effect of this legislation on women. Women do receive, from most boards, equal pay if they have the same qualifications as men, but the statistics on the percentage of women in the ranks of principals, vice-principals and heads of departments indicate that women are not achieving representation in these areas proportional to their numbers in the profession.

Some of the barriers to women moving up the scale have been a subject of collective bargaining in some boards in the past. The provision of day care, adequate maternity leave and encouragement and assistance in upgrading their qualifications are areas where collective bargaining can play a role. But section 7 will put this kind of bargaining in the same straitjacket as wages and benefits. These programs will probably be con-

sidered benefit programs and therefore will have to receive the consent of all seven boards or those employing a majority of the teachers before they can be included in any collective agreement.

Different boards may have different needs and different appreciations of the needs in these areas. It will be very difficult under unified bargaining for women to get the assistance they need to overcome the inequality that has been demonstrated in their representation in the higher ranks of the profession.

Another reason I oppose this legislation is that it destroys local autonomy. Not only will the collective bargaining straitjacket affect teachers and the collective bargaining process adversely, but also it will destroy the power of the area boards to tailor their educational system to their own needs. Some areas may need extra teachers, smaller classes or more special programs just to ensure equality of educational opportunity. This is what the Minister of Education says is the goal of Bill 127: to ensure equality of

educational opportunity. By this collective bargaining straitjacket, she will ensure the opposite.

She will destroy the opportunities for inner-city kids to receive extra assistance and for immigrant children to have more classes in English as a second language. She will destroy the opportunities for developing special education services adequate to the requirements and expectations raised by Bill 82.

This legislation will also destroy the opportunity for parent input into staffing levels and the allocation of staff to different courses and options. The Toronto board has developed a very good system, which involves parents in staffing decisions. Bill 127 will throw this out the window or seriously restrict its operation and flexibility.

Mr. Chairman, I notice by the clock that it is very close to 6 p.m. I have somewhat more to contribute to this debate.

The House recessed at 6 p.m.

CONTENTS

Monday, February 21, 1983

Statements by the ministry

Grossman, Hon. L. S., Minister of Health:

Deaths at Hospital for Sick Children 7820

McMurtry, Hon. R. R., Attorney General:

Deaths at Hospital for Sick Children 7819

Oral questions

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:

Kickboxing and full contact karate, Mr. Roy. 7832

Grossman, Hon. L. S., Minister of Health:

Ark Eden Nursing Home, Mr. Peterson, Mr. McClellan. 7823

Inspection of nursing homes, Mr. Rae, Ms. Copps, Mr. McClellan. 7825

Henderson, Hon. L. C., Provincial Secretary for Resources Development:

Ontario Indian police commission, Mr. Renwick. 7831

McMurtry, Hon. R. R., Attorney General:

Deaths at Hospital for Sick Children, Mr. Peterson, Mr. Rae, Ms. Copps. 7821

Deaths at Hospital for Sick Children, Mr. Rae, Mr. Roy. 7828

Norcen-Hanna Mining Co., Mr. T. P. Reid, Mr. Renwick. 7830

Petitions

Kickboxing and full contact karate, Mr. Breithaupt, Mr. Riddell, tabled. 7833

Closure of audio library, Mr. Allen, tabled. 7833

Committee of the whole House

Municipality of Metropolitan Toronto Amendment Act, Bill 127, Mr. Bradley, Mr. Grande,

Mr. Sweeney, Ms. Bryden, recessed. 7833

Other business

Members' privileges, Mr. Rae. 7819

Heritage Day, Mr. Peterson. 7821

Response to written questions, Mr. Foulds. 7832

Closure of Dylex plant, Mr. Wrye. 7832

Answers to questions on Notice Paper, Mr. Wells, tabled. 7833

Recess. 7857

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
Boudria, D. (Prescott-Russell L)
Bradley, J. J. (St. Catharines L)
Breaugh, M. J. (Oshawa NDP)
Breithaupt, J. R. (Kitchener L)
Bryden, M. H. (Beaches-Woodbine NDP)
Copp, S. M. (Hamilton Centre L)
Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
Cureatz, S. L., Deputy Speaker and Chairman (Durham East PC)
Drea, Hon. F., Minister of Community and Social Services (Scarborough Centre PC)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
Foulds, J. F. (Port Arthur NDP)
Grande, T. (Oakwood NDP)
Grossman, Hon. L. S., Minister of Health (St. Andrew-St. Patrick PC)
Henderson, Hon. L. C., Provincial Secretary for Resources Development (Lambton PC)
Kennedy, R. D. (Mississauga South PC)
Lane, J. G. (Algoma-Manitoulin PC)
Mackenzie, R. W. (Hamilton East NDP)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
McMurtry, Hon. R. R., Attorney General (Eglinton PC)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Peterson, D. R. (London Centre L)
Rae, R. K. (York South NDP)
Reid, T. P. (Rainy River L-Lab.)
Renwick, J. A. (Riverdale NDP)
Riddell, J. K. (Huron-Middlesex L)
Roy, A. J. (Ottawa East L)
Ruprecht, T. (Parkdale L)
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
Sweeney, J. (Kitchener-Wilmot L)
Turner, Hon. J. M., Speaker (Peterborough PC)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
Wrye, W. M. (Windsor-Sandwich L)



No. 219

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Second Session, Thirty-Second Parliament

Monday, February 21, 1983

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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LEGISLATURE OF ONTARIO

Monday, February 21, 1983

The House resumed at 8 p.m.

House in committee of the whole.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT (continued)

Resuming consideration of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

On section 7:

Ms. Bryden: Mr. Chairman, when we recessed, I was saying why I opposed Bill 127, and in particular section 7, which we are discussing at present. Section 7 deals with the collective bargaining processes for teachers in the Metropolitan Toronto area. I said that section 7 should have had a subtitle which would have labelled it, The Collective Bargaining Strait-jacket. My colleague the member for Oakwood (Mr. Grande) introduced an amendment to section 7 which in effect would have changed one word, "shall" to "may," and that slight change would have restored the collective bargaining process in the Metro Toronto area to the present situation.

It is a very flexible situation, where the teachers' bargaining agents can deal with the board that employs them or they can join together and participate in joint collective bargaining. It is a completely flexible system and it allows for a choice of the collective bargaining route. It has worked well over the past few years. There have been fairly harmonious relations and no disruptions of employment in recent years. I was arguing that if we adopt the amendment of my colleague a large section of Bill 127 will not be objectionable. This is what we are dealing with at the moment.

My argument against the present form of section 7 is that it is an attack on freedom of association, which is guaranteed in the Canadian Charter of Rights. It is an attack on collective bargaining. It provides for a shift in power from the local boards to the Metro Toronto board and thus destroys local autonomy. It is destructive of nonmonetary bargaining, because all the financial matters and the numbers of teachers are decided by the unified bargaining.

Section 7 would, in effect, stop what is known as affirmative action bargaining because if that were considered a nonmonetary issue there would be no incentive for the boards to sit down with the teachers' organizations to discuss ways of helping to overcome the inequality between men and women in the higher echelons of the profession, the principals, the assistant principals and the department heads.

There is still a disparity between the representation of men and women at those various levels, but this would be stopped by this strait-jacket on collective bargaining under section 7. If it were considered a monetary item it would have to go to joint bargaining and would be one of many items on which the different boards might have different requirements or a different appreciation of the need for such affirmative action. In effect, the use of the collective bargaining procedure for improving the equality of women within the system would be stopped.

Section 7 would also destroy parent input because a nonelected board would be sitting on one side of the table. It would not be accountable to the electorate directly. The parents would not have a say in the staffing decisions or the allocation of teachers, as they now do in the Toronto area and probably in some of the other area boards as well.

In the Toronto area they have worked out a good system of involving parents in the staffing decisions, in the allocation of teachers, in the decisions as to whether they will have a physical education teacher, another music teacher, half an art teacher or the way they would allocate the teachers assigned to them by the Toronto board or the Metro board.

If we let section 7 go through in its present form all these things will weaken the opportunity for parents to have an input in the education system.

It would also increase intermunicipal tensions in the Metropolitan Toronto area. It provides for a negotiating committee made up of just one appointee from each of the seven boards, brought together under the unified bargaining section. This means the city of Toronto, which generates about 40 per cent of

the education tax revenue and has a large percentage of the total teaching staff under its jurisdiction, will have one vote in seven on any decisions made by the negotiating committee.

This will leave most Toronto teachers feeling their wages and working conditions are determined by the other boards. They will have no power to change one iota of whatever decision is reached by the majority which, in the act, is defined as a majority of the boards with a majority of the teachers in those boards.

The teachers in the other boroughs will also begin to have the same feelings that their wants are being determined, not by themselves and their boards negotiating together, but by the wants and positions of the other boards since each borough again will have one vote in seven. I think my colleague's amendment will be a great improvement in allowing us to go back to the present situation.

There is one point I want to make. This legislation should be opposed because it is a shadow of the future. I see section 7 as a pilot project for centralization of collective bargaining across the province. I see it as a continuation of the Conservative attack on collective bargaining which we saw in such a naked form in Bill 179. If we wish to preserve collective bargaining in this province, my colleague's amendment is the way to do it.

On Friday, the minister said she wanted to encourage prudent spending by boards of education under Bill 127. Her secret is out. She admits restraint in spending is her motivation, not equality of educational opportunity, or she thinks she can balance those two off.

8:10 p.m.

But is it prudent to fail to meet local needs? Is it prudent to build up expectations for special education under Bill 82 and not provide adequate facilities and programs for it? Is it prudent to curtail programs for immigrant children that will help them to become Canadians more quickly? Is it prudent to limit inner-city programs that overcome educational handicaps if she wishes to give equality of educational opportunity?

Are nonelected boards with no direct contact with parents and no intimate knowledge of local needs likely to act as prudently as a local board accountable to the electorate? A local board is acutely aware of what mill rate the electorate will accept, and it will temper its programs and the staging of its programs to meet what the people are prepared to pay and what they want.

That is why I think we must reject section 7 in

its present state and support my colleague's amendment to change "shall" to "may."

Hon. Miss Stephenson: Mr. Chairman, I wonder if I could respond to some of the—

Mr. Chairman: I am sorry, we have a point of order.

Mr. Di Santo: On a point of order, Mr. Chairman: Before Madam Guillotine speaks, may I have 10 minutes to speak on the amendment if the minister is agreeable?

Hon. Miss Stephenson: I do not mind. I simply wanted to respond.

Mr. Chairman: He was not going to do anything.

An hon. member: How do you know?

Hon. Miss Stephenson: Mr. Chairman, some points have been made by certain of my colleagues during the debate on section 7 of the bill that I think should be clarified.

The member for St. Catharines (Mr. Bradley) suggested that there is no argument anywhere for support of the joint bargaining mechanism. All four speakers have suggested there is something amiss with introducing this amendment through the vehicle of the amendment to the Municipality of Metropolitan Toronto Act. Also, concern was expressed about the fact that, as the member for Beaches-Woodbine (Ms. Bryden) suggested, the members of the Metropolitan Toronto School Board are not elected members and therefore cannot know what goes on in local communities in Metropolitan Toronto.

I would remind all honourable members that, first, the Metropolitan Toronto School Board is made up of trustees elected within their areas who are then elected or chosen by their colleagues to represent their areas on the Metropolitan Toronto School Board. They are indeed elected individuals, just as the member for Beaches-Woodbine is, and they do represent, as does a member of the executive council of any provincial jurisdiction, not only their own areas but also the concerns of all of those whom they must represent as a result of that additional position.

I think those individuals who, at the insistence of their colleagues, attempt to serve Metropolitan Toronto through their service on the Metropolitan Toronto School Board are as responsible and as concerned about education as anyone else is, just as concerned as any member of this House, as a matter of fact.

In addition, there has been a history of strong suggestion that there should indeed be joint bargaining among the teachers of Metropolitan

Toronto and the boards represented at Metropolitan Toronto. I think the position was first stated in the arguments probably put forward by the father of the member for Brant-Oxford-Norfolk (Mr. Nixon) in this Legislature when Metropolitan Toronto and the two-tiered system of governance were first established. It was suggested even then that there be arrangements that would ensure that the teachers in Metropolitan Toronto would all be dealt with in the same way.

Of course, we did not have Bill 100 at that point. Of course, we did not have the vigorous kind of organizations which we have related to collective bargaining.

In 1965, Senator Carl Goldenberg, in his examination of the two-tiered system of government in Metropolitan Toronto's school system, suggested very strongly that all bargaining related to teachers' salaries, fringe benefits and all matters having to do with the terms and conditions of contracts should be bargained jointly among all the teachers in Metropolitan Toronto and the boards responsible. In addition, I would remind honourable members that Barry Lowes made that very strong suggestion in his report as well.

Mr. Nixon: He is very impartial.

Hon. Miss Stephenson: I do not know, because I do not know Barry Lowes, but he was appointed by my predecessor to examine the two-tiered system of governance. One of his strong recommendations was that the two-tiered system remain and that the Metropolitan Toronto School Board be responsible for bargaining for teachers in Metropolitan Toronto, specifically in relation to salaries and fringe benefits.

The member for Oakwood strongly suggested that the Matthews commission denied there should ever be joint bargaining in Metropolitan Toronto. I would like to read into the record from page 52 of this report the statement from the chairman of the commission and the commissioners: "In our view, Metro-wide negotiations are desirable only if provisions can be made for special problems within the scope of negotiations." That has been done.

I quote a little further: "Although the special situation in Metropolitan Toronto has brought the matter of joint bargaining by different school boards to the fore, it may become a more general problem in the future. This could easily happen if neighbouring school boards begin to press for joint bargaining in order to avoid being whipsawed by the federations. It is not uncommon for the federations to build upon each

settlement in turn, thereby engaging in a process commonly known as leapfrogging or whipsawing."

The recommendation made by the Matthews commission was this: "The commission recommends that Bill 100 be amended to provide that the Education Relations Commission have the authority to adjudicate disputes pertaining to the appropriateness of bargaining units and joint bargaining."

In other words, the Matthews commission was recommending that the ERC be given the authority to legislate joint bargaining. Ladies and gentlemen and members of this honourable House, I do not believe an appointed body should have that authority. I think this House should have that authority rather than an appointed Education Relations Commission.

In addition to that, the Matthews commission stated, "Similarly, joint bargaining should not be legislated as entirely voluntary without provision for joint bargaining to be imposed if circumstances warrant such action." Obviously, the commission was suggesting that the ERC would see circumstances that would warrant the action, would make that recommendation and impose joint bargaining. Rather than having that appointed body do it, it seems much more rational that this Legislature should debate, as we are doing, the joint bargaining mechanism within Metropolitan Toronto.

I would remind honourable members that this joint bargaining mechanism is not all inclusive. When it was first suggested to us that this mechanism should be introduced, the strong suggestion was that all matters related to the teaching profession in Metropolitan Toronto should be bargained jointly. It appeared to be inappropriate to do that because there are matters of which local boards have much more knowledge. That is the way in which teachers are spread throughout the system, the scope and range of programs to be offered, the way in which those programs will be offered and the structure and function of the school mechanism within each board's jurisdiction.

We felt very strongly that local autonomy should be preserved. Therefore, we have developed a structure that is available under Bill 100. I would remind members that both aspects come under the aegis of Bill 100, so the rules of that bill apply both to the joint bargaining mechanism for salaries and employee benefits and for the mechanism for determining the

formula whereby the allocation of teachers is established.

8:20 p.m.

The honourable members in this House, particularly in that party, stand here and try to perpetuate the myth that under this bill the Metropolitan Toronto School Board will unilaterally and autocratically determine that formula. That will not happen. This is a matter now to be determined by bargaining. There is every opportunity for the teaching federations and teacher groups to have strong input into that allocation mechanism.

Indeed, they probably will have greater opportunity to play an important part in that determination as a result of Bill 127 than they have ever had before. I think it will provide the teachers with the appropriate forum to express the concerns they have had as a result of their function within the school system.

The member for Beaches-Woodbine suggested that the mechanism established in Toronto in each school, which I think is called the parent-teacher or the teacher-parent staffing committee, is going to be denied as a result of this bill. That is an unadulterated prevarication, because that local structure will be a part of the local bargaining. The local bargaining may not only continue, it can take place simultaneously with the bargaining which is established at the joint levels.

Mr. McClellan: On a point of order, Mr. Chairman: I am curious as to whether or not you intend to regard that as a parliamentary remark?

Mr. Chairman: Which part?

Mr. Bradley: He is looking it up in the dictionary.

Mr. Chairman: I am looking it up. You are right.

Mr. Stokes: That means a lie.

Mr. Chairman: Thank you.

Hon. Miss Stephenson: If the member for Bellwoods (Mr. McClellan) misunderstands or objects to that word, I shall most certainly withdraw it and suggest strongly that it is—

Mr. McClellan: Mr. Chairman, I do not misunderstand the word at all. It means unadulterated lie. That is what it means.

Hon. Miss Stephenson: No, it is a prevarication.

Mr. McClellan: If that is what the minister is trying to say, why does she not have the guts to say it?

Hon. Miss Stephenson: It is a distortion, Mr.

Chairman. If the honourable member objects to it, then I shall most certainly suggest that it is still unadulterated, but it certainly is not factual.

I do not think there can be any doubt that whatever local arrangements are necessary in order to ensure effective family-community-school relationships are not only still going to be possible under Bill 127, they could indeed be enhanced under Bill 127 as a result of the increased participation of parents and the increased understanding of what is necessary in terms of the development of program within a local area board's jurisdiction.

Mr. Grande: On a point of order, Mr. Chairman: I would not want the minister to mislead. Therefore, let me point out to the minister, if she has not read the report from the Metropolitan Toronto School Board which talks about whipsawing and what the teachers are doing in Metropolitan Toronto, in that one example it says, "Toronto board in separate negotiations agreed to central staffing"—

Mr. Chairman: That is not a point of order.

Hon. Miss Stephenson: Mr. Chairman, on a point of order—

Interjection.

Mr. Chairman: The member for Oakwood has had his say.

Hon. Miss Stephenson: If I may respond to the member, I was not stating that. I was quoting from the Matthews commission report. I was not making a statement. I quoted from page 52 of the Matthews commission report. All I was doing was quoting.

The member for Kitchener-Wilmot (Mr. Sweeney) suggested, as I think did the member for St. Catharines, that there was some new introduction of the Ontario Labour Relations Board into these arrangements. I am positive the member knew that the Ontario Labour Relations Board is already involved in the School Boards and Teachers Collective Negotiations Act.

Interjection.

Hon. Miss Stephenson: He did not? In section 67, the OLRB determines whether or not a strike is unlawful. The OLRB also decides, if a strike is unlawful, what action is to be taken. That direction is filed in the office of the registrar of the Supreme Court. Both those bodies are already within the ambit of Bill 100 or the School Boards and Teachers Collective Negotiations Act. This is not a new introduction. It is simply an additional mechanism which

may be used to determine whether there is a variance.

I would remind the member the variances are only those which relate to the two items which are to be bargained jointly. If there is a variance which is agreed to, and the boards all agree it is perfectly fine, I am sure it will be allowed to happen.

The member pointed out there was disparity in the assessment of the way in which that would be determined. We agreed with the member there was a disparity and, therefore, removed the section because we did not want that disparity to exist.

If there are variances which may prove to be beneficial, they can be introduced into the joint bargaining mechanism, because if they are good for one board they are now obviously going to be equally good for other boards in Metropolitan Toronto, as a result of the fact the boards in Metropolitan Toronto now have many more similarities than they have differences in the range of programs and services they must offer.

I believe 20 years ago there were great variations in the school populations of the various boards. I know and every member in this House knows those variations have been almost totally removed. There may be a matter of degree, that is, the numbers of variations in the requirements of students may not be entirely equal throughout all the boards, but it is a matter of degree rather than a matter of total difference in the makeup of the school population.

The school boards in Metropolitan Toronto have similar problems. They all have inner-city problems now. They all have special education problems they must face. They have problems related to English as a second language. There are needs of children which each board is attempting to meet.

Surely the mechanism that permits all the boards together, plus the representatives of all the teachers' federations together, to sit down and discuss the ways in which they can best meet those needs through allocation formulae is the way in which we should be attempting to solve the problems for all the children in Metropolitan Toronto.

As I said, it is not to be an autocratic or unilateral action on the part of the Metropolitan Toronto School Board. It is a joint action taken between the teachers and the representatives of all the boards to ensure that all the needs of all the children will be met.

Mr. Van Horne: Mr. Chairman, on a point of order: I would like the minister, if she would, to

assure us the allocation formulae would be a little fairer than the allocation used in the London system I experienced when I was there as a superintendent, because it was surely—

Mr. Chairman: That is not a point of order.

Mr. Van Horne: It is a good point, though, because those people in her ministry rig and jig formulae like one would not believe. One simply knows the minister cannot understand it—

Mr. Chairman: Order. You have had your try.

Hon. Miss Stephenson: I think the honourable member is probably relating to the general legislative grant rather than to any kind of formula. The general legislative grant regulations are published every year in such exquisite clarity that all sorts of people have difficulty understanding them. I agree with the member that should be simplified so it is more understandable, but that formula has nothing to do with this formula.

This is a formula which was developed in the past for the purpose of ensuring that the children of Metropolitan Toronto were provided through the allocation mechanism with a sufficient number of teachers to meet the needs which had been defined by the local area boards. There are weighting factors applied for the allocation of teachers to meet those needs.

This has been done in the past as a result of joint action within the Metropolitan Toronto School Board. It has not been a mechanism that has been subjected to the collective bargaining process. What we are introducing in this section of the bill is that subjection of the allocation formula to the collective bargaining process in order to regularize and to formalize the input of teachers into the determination of that formula, which I think is fair and reasonable in the light of the specific kinds of educational needs that exist within Metropolitan Toronto. They are not specific only to one board.

8:30 p.m.

The bodies-for-bucks example has been raised several times by the two front-benchers over on the official opposition side. It is interesting that the bodies-for-bucks example is raised only in the instance of one year. Everyone forgets to mention that for the next year it was demanded that those teachers who were hired for lesser rates of remuneration be paid at exactly the same rate as the other teachers, so that not only did they not gain any additional bodies, it cost extra money. If this mechanism is good for one part of Metropolitan Toronto, then obviously it

should be good for all of Metropolitan Toronto and it should be bargained jointly among the teachers and the boards to ensure that it does occur.

The member for Oakwood has made some absolutely outlandish statements regarding the aims and objectives of Bill 127. One he made related to school closures. He stated unequivocally that Bill 127 would automatically ensure that schools were going to be closed.

The Metropolitan Toronto School Board and Bill 127 have nothing to do with that policy. That policy is determined by the local area boards totally. They must file, and all of them have filed, with the Ministry of Education a school closure policy, which determines that a certain number of schools, where the enrolment has fallen below 200, will be reviewed, but the policy must contain the reality of community involvement in that discussion. It does not necessarily mean that each of those schools will be closed. They will be closed if the boards determine that they cannot provide the appropriate educational program for children within these schools.

The Toronto board is not nearly so well populated with the smallest schools in Metro at the moment. Of the 50 smallest schools in Metro, North York has 15, Toronto has only nine, East York has three, Etobicoke 10, Scarborough 10 and York three. So this is not a matter that will automatically ensure that small schools will close, nor does it ensure automatically that there will be a decrease in the number of teachers hired. Every year, for at least the past six or seven years, there has been a significant increase in the number of teachers related to the number of pupils within Metropolitan Toronto. Since 1974 there has been a 26 per cent decrease in the number of pupils and the numbers of teachers has not declined nearly to that percentage, as the member knows.

In Metropolitan Toronto the pupil-teacher ratio is probably at the lowest level we have in the province, and there is no evidence that this is going to change dramatically with Bill 127. In fact, there is nothing in Bill 127 to ensure that it would change in any way that would be damaging or deleterious to educational programs for children.

When we were debating clause by clause of Bill 127 in committee, there was a very vigorous request on the part of the opposition parties that we request further sitting days in order to complete clause by clause within committee.

After a good deal of debate, it was agreed that we would ask for additional sitting days.

The arguments put forward at that time were put forward by the member for Sudbury East (Mr. Martel). He said: "If there is to be a detailed debate, you are better off doing it here than to try to do it in the House where it is going to take longer. It makes abundantly more sense to take one day here to cut down the time that it will take in the House. It seems to me that if we can do more here, it will lessen the time in the House."

Mr. Chairman, we have had considerable debate on clause by clause and I would suggest strongly that, in compliance with standing order 36 of the rules of this House, this question be now put.

Mr. Chairman: The minister has moved standing order 36, the previous question section. The motion is not debatable. However, I want to point out to all members of the House that the chair has discretion to take into consideration whether the rights of the minority have been affected with the motion.

I want to say that in regard to discussion of section 6, the previous section, we had more than 10 hours of debate. I felt very comfortable about the fact that the rights of the minority were not affected. In regard to section 7, we had over three hours of debate. I want the record to show that I would not want any lesser number of hours. With that in mind, I will put the minister's question.

9:15 p.m.

The committee divided on Hon. Miss Stephenson's motion that the question be now put, which was agreed to on the following vote:

Ayes 56; nays 36.

The committee divided on Hon. Miss Stephenson's motion that section 7 should stand as part of the bill, which was agreed to on the following vote:

Ayes 56; nays 36.

On section 8:

Mr. Chairman: Hon. Miss Stephenson moves that section 130j of the act, as set out in section 8 of the bill, be amended as follows:

(a) in clause (2)(b), by striking out "1982" in the fifth line and in the ninth line and substituting therefor in each instance "1983";

(b) in subsection (4), by striking out "1982" in the fifth line and substituting therefor "1983"; and

(c) in subsection (5), by striking out "1982" in the fifth line and substituting therefor "1983."

Hon. Miss Stephenson: Mr. Chairman, I suggested, I believe on Thursday, that I would be happy to do this since we had listened carefully to the concerns expressed by parents and because of the fact that this bill was now being debated in 1983.

I would like the honourable members to know that I intend to appoint an individual as a committee of inquiry in relation to this bill to examine the principle of the discretionary levy, and I will ask that individual to report within six months, so that if there is to be a change to this section, it can be accomplished before the 1984 year.

Mr. Bradley: Mr. Chairman, the amendment and the announcement do not, of course, satisfy what we wanted in committee and have sought in the bill. It is a slight improvement, which no doubt with the majority they have over there will carry.

Mr. Barlow: Vote against it.

Mr. Bradley: Vote against it? We might well do that.

Interjections.

Mr. Bradley: This may take longer than I thought.

The Deputy Chairman: Order. Honourable members, the member for St. Catharines has the floor. I would ask you to give him your attention.

9:20 p.m.

Mr. Bradley: Our preference would have been that there be no year stipulated in there. As I indicated in committee, our preference would have been a discretionary levy of two mills rather than 1.5 mills. To a certain extent, we see some small merit in the commission or individual the minister has appointed looking into this, but certainly it does not meet the requirements of those of us in opposition.

I would not want to put our party's stamp of approval on this amendment, even though it is a very slight improvement for one year. We certainly would not put our stamp of approval on it because ultimately the problem is going to exist one year hence. While you solve it slightly for one year, in the future you do not.

The minister will recall that when she made this announcement in committee, when she backed down from one mill and went to 1.5 mills, there were those of us who greeted it with some favour. Indeed, I think I was in the middle of a speech praising the minister for this change,

when I looked at the rest of the change and saw that she had stipulated a freeze on the 1982 assessment level, which did not really improve things very substantially in terms of dollars.

What the minister is attempting to do tonight may solve the problems of the member for St. George (Ms. Fish) or the member for High Park-Swansea (Mr. Shymko) or the member for St. Andrew-St. Patrick (Mr. Grossman) or the member for Eglinton (Mr. McMurtry). They may be able to go back to their people and wave this amendment as some kind of victory that they can claim they extracted from the minister in cabinet in one case and in caucus in the other case. That kind of amendment will not buy off the opposition in our opposition to this draconian measure which has been implemented.

I want to clearly indicate that we will be opposing this amendment which I know will carry with the government's overwhelming majority.

Mr. Grande: Mr. Chairman, this is the amendment the Minister of Education (Miss Stephenson) talked about the other night instead of talking to the guillotine motion, which was totally out of order. The chairman will recall that the minister was supposed to stand in this Legislature and open up debate on the guillotine motion and the minister decided to talk about the bill instead. That is the only time she brought forward this idea of changing 1982 to 1983.

However, a freeze is a freeze is a freeze. If one lifts the freeze for 1982 and institutes it in 1983, what one has done is perhaps saved eight teachers' jobs in the city of Toronto for one more year. But if the minister realizes that normally the Toronto board has to fire the teachers that it would fire under this freeze the year after, then it would have to fire those teachers that they are protecting this year. Therefore, basically those teachers whose numbers have come up are being allowed to exist for another year in the teaching profession.

The reason 1983 pops up is that the Premier (Mr. Davis) had to burst a lead balloon—

The Deputy Chairman: There is too much background noise. It should be reduced. The member for Oakwood can't be heard easily. He will continue but other members will reduce their conversations so that we can all hear the member.

Mr. Grande: Thank you, Mr. Chairman.

Mr. Havrot: Just trying to help them along.

The Deputy Chairman: Order.

Mr. Grande: Mr. Chairman, the tribe is restless, I see. They are not used to having too many of them in this Legislature. When there are too many, they just have to chat to one another.

Interjections.

Mr. Grande: That is all right. While we are debating this amendment, members can leave and come back when the bells ring.

Interjections.

The Deputy Chairman: Order. The members will control their interruptions and bring them down to nil or zero. The member for Oakwood can continue or I will be required—

Hon. Mr. Gregory: On a point of order, Mr. Chairman: I wish the government members would keep quiet.

The Deputy Chairman: The member for Oakwood has had some help.

Interjections.

Mr. Grande: The Minister without Portfolio (Mr. Gregory) has decided to flex his muscles on his caucus.

As I was saying, the reason the Minister of Education has brought in this amendment is simply that the Premier, under pressure, has had to burst the lead balloon which the Minister of Revenue (Mr. Ashe) decided to float regarding market value assessment in Metropolitan Toronto. In effect, since that balloon was burst there is no point in freezing the 1982 rates. Therefore, we are faced with this amendment.

May I say to the minister that this party is not going to be supporting this amendment because we realize it is simply an amendment for the government to gain some very short term political mileage in terms of the parents out there and other people who are concerned about educational programs. It is short term and will only last a year. As a matter of fact, the minister said it might last only four months and no more.

Basically, what the minister and the government wants is to totally eliminate the local levy from education. The minister and the government listen to their bosses. The bosses come from the Board of Trade of Metropolitan Toronto which said, in effect, in their submission to the standing committee on general government that there should be no local levy. The minister is saying: "We will let this go. We will change the 1982 to the 1983 so we get the short-term political gains and in four months we will totally eliminate the local levy." Therefore, this party is not going to support this amendment.

Mr. Sweeney: Mr. Chairman, I have a strong suspicion that a majority, if not all, of the government members will support the minister in this particular change. I want to be very sure they know what they are supporting. Let us go back. The first proposal of the minister was that the 1.5 mill levy for elementary school purposes be reduced to one. That was the first proposal, as the minister knows as well as I do.

Hon. Miss Stephenson: Mr. Chairman, on a point of order: The first proposal was that the 1.5 mills would remain, but one mill could be used for the hiring of additional teachers.

The Deputy Chairman: That is a point of clarification.

9:30 p.m.

Mr. Sweeney: I think the minister would agree that the major thrust of this entire section deals with the ability of a local board to hire extra teachers above and beyond the general or the Metro-wide agreement. The thrust is essentially the same. I still maintain that we started out with one mill that was going to be made available for the hiring of extra teachers and then we went back to 1.5 mills, as my colleague pointed out a few minutes ago.

Hon. Miss Stephenson: It takes 11 years.

Mr. Sweeney: Okay, but the thing to keep very clearly in mind is that by putting on a limitation, whether it is 1982 or 1983, from that point on we begin to acquire a cumulative effect. In 1984 it is not worth 1.5 mills any more because the assessment value is going to change, particularly if the proposal of the Minister of Revenue is ever accepted. I will not be surprised if a few years down the road it is accepted in some form. We know very well the government is thinking along these lines.

How and when the government is going to apply it, we are not sure, but we do know the assessment bases of the various parts of Metro Toronto are going to change. Therefore, by freezing either at the 1982 or the 1983 level—it is a very minor change—as each year passes, that 1.5 mills is no longer worth 1.5 mills in real terms. For the first year, it might be worth 1.3; for the next year, 1.2; and for the next, 1.1. Eventually, it has a cumulative effect.

That is the point the members in the government benches have to understand clearly. They are not voting for 1.5 mills as a local levy discretion for the local boards; they are voting for something that over the years is going to be worth less and less. If I may rephrase that classic statement, they are buying short-term gain for

long-term pain. That is the impact. If they are going to support this, let there be no doubt they know what they are supporting. It is a sham.

Hon. Miss Stephenson: Mr. Chairman, in response to the member for Kitchener-Wilmot, it is not a sham. It is a commitment that 1.5 mills of the 1983 assessment level can be used, for the first time specifically stated in legislation, by all the boards for the purposes of hiring additional teachers. The debate that has surrounded this area is one which at one polarized end says there should be no limit on the discretionary levy, as the member for St. Catharines would really like to see, while at the other end a clear statement has been made by a number of very concerned people that there should be no discretionary levy at all.

Because of this polarization, I felt it was most appropriate that we ask someone with great knowledge of the government system and the structure in Metropolitan Toronto to look carefully and critically at the principle of the discretionary levy, specifically at that item, and to report. I do not know what the outcome of that will be, but I shall attempt to abide by whatever the recommendation is.

Mr. Rae: Mr. Chairman, one can only assume that the government will listen to that expert the same way it has listened to all those people through the 1970s who said that local autonomy was being eroded by the Metropolitan Toronto School Board and that there was a crisis in education as a result. It is nonsense for the minister to suggest this—and this is what she wants us to believe. She wants to have the best of both worlds. She wants to attack the principle of the local levy and then turn around and say that will not have any effect on the quality of education.

She cannot have it both ways. She cannot limit the ability of a school board to raise money through the discretionary levy, or at least establish it on a principle of fairness that allows for programs such as English as a second language, French immersion and limiting of class size, and then turn around and say, "We are taking this away, but it is not going to have any effect on those programs." Of course, it is going to have an effect on those programs. It is exactly the attitude she has taken towards the local levy, which is the problem.

I would just say to the minister that we on this side would much prefer it if she would at least be straight with her own colleagues, with herself and with us as to what the impact of this is going to be in the long term. She is putting individual

school boards into a straitjacket. She is going to force the closure of schools and cutbacks in programs. That is the implication of cutting back on the local levy and the minister knows it.

9:47 p.m.

The committee divided on Hon. Miss Stephenson's motion, which was agreed to on the following vote:

Ayes 61; nays 36.

The Deputy Chairman: Mr. Bradley moves that section 8 be amended by striking out "1.5 mills" in line 2 of clause 130j(2)(b) and substituting therefor "two mills."

Mr. Bradley: Mr. Chairman, the purpose of this amendment is to increase the discretionary mill possibility from 1.5 mills to two mills to provide a greater opportunity and greater flexibility for those boards of education that wish to exercise it.

When dealing with this bill in the standing committee on general government, we spent a good deal of time talking about the possibility of increasing the discretionary mill rate that would be permitted. A lot of the discussion that took place, and the subject of the minister's amendment, revolved around the fact that initially she started out allowing for only one mill to be used for the purpose of hiring teachers if a board of education so wished.

9:50 p.m.

As indicated by my colleague the member for Kitchener-Wilmot, subsequently the minister announced she would permit the full mill and a half to be used for the purpose of hiring necessary additional staff. She put a freeze on the 1982 level, but this is now lifted by her amendment to the 1983 level.

What we are suggesting through this amendment is that a discretionary rate of two mills be permitted to meet the special needs a board of education within Metropolitan Toronto may feel it has. On many occasions before the committee, parent groups, teacher groups and some members of boards of education, including the Toronto Board of Education, indicated their desire to have this additional discretionary mill.

Within her own caucus, probably the minister has characterized the opposition to Bill 127 as a group of wild-eyed, left-wing radicals on the Toronto Board of Education. This is not true. For instance, Dooney Gibson, who was featured in the Toronto Star article of February 17 and who normally votes Progressive Conservative, indicated she was opposed to the minister's bill.

I indicated to the minister in committee that if there was one way she could alleviate some of the problems she had in terms of opposition and ease the fears of parents in Metropolitan Toronto about the possibility of staff being cut back and, therefore, the quality of education available to their children being reduced, it would be to permit the discretionary levy to rise to two mills.

As I recall, in committee the minister's party members were not prepared to entertain this favourably. As usual, when a progressive and enlightened amendment of this kind was put forward, we found a situation where six hands went up automatically.

On one vote the member for Oriole (Mr. Williams) voted the wrong way. I voted a certain way to suggest that he should vote the way he did. He was tricked into it, but it was an indication of how they had their marching orders. He felt he could not possibly vote for anything the opposition voted for and that is how the circumstance arose.

If we have a two-mill discretionary levy available to those boards of education that wish to exercise their right to use it, the programs that many of the parents have talked about, such as English as a second language, special help for those who need it, for the inner-city children—all these programs would not be endangered as they will be even with the amendment permitted by the minister tonight at the level fixed for 1983.

Even at this point and as disappointed as are the opponents of the bill, who have come here night after night, day after day and who marched on the Legislature last fall, some 5,000 or 10,000 strong, on a very cold and wet day, the minister will recall—

Hon. Miss Stephenson: I thought you were a school teacher. You can't count.

Mr. Bradley: The minister was not there, so she wouldn't know.

Hon. Miss Stephenson: I was not invited.

The Deputy Chairman: Speaking to the amendment. You are off the topic of the amendment.

Mr. Bradley: I am trying to relate this to the clear support this kind of amendment would have in the general public and among those who are opposed to the bill in particular.

Even at this point, after having passed many of the sections of the bill which we feel are unwise and discriminatory, if the minister were to permit and agree to this amendment, which

would allow for the two-mill discretionary levy, she would find that some of the people who were so vociferous in their opposition to this bill, while still being disappointed with it, would at least have the feeling that their board of education, the board of education they elected democratically at the local level, would have the opportunity to hire more individuals to teach within their jurisdiction if they saw that to be a desirable end.

Of course, the public could pass judgement on them. If the public felt the additional discretionary levy was too much of a burden on them as individual taxpayers, they would pass judgement at the time of the next municipal election in the second week of November 1985. So they would have that opportunity and they would understand the issues and would want to understand the issues even more as they saw the effect that such an amendment would have on the education system.

The minister has taken away a lot of local autonomy, but if anything can recover at least a portion of the local autonomy that could be left with the individual boards of education, it is the passage of this amendment. Even if the minister had said, "I will agree to 1.5 mills and I will not put any freeze on; I will not talk about 1982 or 1983; I will not put any freeze on as an assessment level," it would have abated a little bit the vociferous opposition to the bill. If she had agreed to the two mills, I think we would have found an outpouring of support, at least for this section of the bill.

I do not know whether I am going to persuade the minister of this. I could not persuade her in committee. I suspect there are some in her caucus, particularly those who represent Toronto ridings, who look favourably upon this change in the legislation. I think the minister could then go out to the parent groups that have been demonstrating their concern by coming to the Legislature each day, writing letters to the minister, sending telegrams, making telephone calls, visiting individual members and attending public meetings and at long last she could say to them:

"I know I have passed several portions of this bill to which you object, but I am trying to listen to your concerns and for that reason I am prepared to accept the two-mill discretionary levy to show my good faith, to show I understand that you want programs retained if your local board of education deems them suitable to be retained and wants to hire the staff to retain

those programs, which are so very important to various boards of education."

I implore the minister to rise in the House and say in a magnanimous gesture: "I agree with your amendment. I am going to show my good faith with those people, and we and our caucus are prepared to support a two-mill discretionary levy in this section of the bill."

10 p.m.

Mr. Grande: Mr. Chairman, it will come as no surprise to the Minister of Education that this party will support the amendment put forward by the Liberal Party. I have an amendment that talks exactly about the same thing, except I would go a step further. The step would be that if the board of education were to raise the two mills and after the board deemed that it required more funding to meet the educational needs of students, I would say the provincial government should be responsible for that funding to that particular board.

I do this because basically, as we all know in this Legislature and as people outside this Legislature are aware, in Metropolitan Toronto this government has continuously underfunded education for the past five to six years. About six or seven years ago, this government was giving at least 33 to 37 cents per dollar to be spent for education in Metropolitan Toronto. Last year it provided only 15 cents per dollar in Metropolitan Toronto. This year it is going to provide less than the 15 cents, as I understand it from the projections the Metro Toronto board has done, that board which supposedly supports Bill 127. The projection that board has done indicates that the general legislative grants that will come down from the government will perhaps be somewhere between 12.5 to 13.5 cents per dollar.

I submit that a board raising money through the local levy should be absolutely no skin off the Minister of Education's nose. If a local board makes the determination to raise moneys through the only vehicle it has, increases in the mill rate, let that board do so, because obviously it has to explain to its electorate why that mill rate was raised.

The Minister of Education basically should have no business whatsoever putting a cap on the local levy but, if she desires to put a cap on, I and the Liberal Party are suggesting she put the cap at two mills. If any moneys are spent on top of the two mills to provide needed programs for kids, the government should put up the money. That makes sense.

I think it was the member for Kitchener-

Wilmot who said there is no bottomless pit in terms of the amounts of money that are available.

Hon. Miss Stephenson: No. I said that.

Mr. Grande: The minister or the member for Kitchener-Wilmot; the Minister of Education has certainly heard me say this before.

Mr. Brandt: Yes, she has.

Hon. Mr. Ashe: Five thousand times.

Mr. Grande: Of course she has. I will keep standing in this place as long as necessary until she understands or gets out of there.

As I have been saying to the Minister of Education, the business of the Minister of Education and the ministry is to guarantee that educational services are delivered to the children who are in need of them. If the Minister of Education does not do that, the ministry, the minister and the government are not being responsible. The job of the Minister of Education and the ministry is to make sure they get the money in terms of legislative grants and the portion from the local levy necessary to run an education system in this province.

If there are children in this province, in Metropolitan Toronto in this case, who require services that are not being provided, it is the responsibility of the Minister of Education to state to that board: "Provide the service. If you do not have the money, we will provide the money. That is the business we are in." At least that is the business the Minister of Education should be in: to ensure access to and equality of educational opportunities in this province. It is not her job to say to boards of education, "Put a cap on the amounts of money you can spend."

If those trustees, through the democratic process and not putting any kind of blindfold on the electorate, have said, "This is the kind of money we require for the services," obviously the electorate in the city of Toronto in particular—because, as I am sure members know, Toronto is the only board of education that uses the local levy—can kick them out at the next election.

Other boards in Metropolitan Toronto decided not to make use of that local levy, but that is their business. They decided not to have it. Therefore, democratically they made that decision and that commitment and they should not be forced to use the local levy. Let their electorate push them if the electorate feels their children are being short-changed.

Let us concern ourselves with quality education. Let us concern ourselves with the programs we feel our kids and our children in our system require and need. Let us not have a

Minister of Education putting a cap on the local levy.

If the electorate wants to kick those trustees out at the next election, it is the right of that electorate to do so, but in the meantime, that trustee or that group of trustees of that board makes commitments and makes priorities regarding the direction of education. This government should have no qualms whatsoever, none whatsoever, in preventing local ratepayers and the electorate from taxing themselves so they have quality education in their schools. I do not think that is the business of government. It is the business of the local level.

Through this bill, the minister is tampering with local responsibilities. We have said to the minister over and over again that those are local decisions that have to be made, and she has no business infringing upon the rights of the local level and smashing the local level and centralizing all power to the Minister of Education and to this government.

Centralists they are, but that is not the historical context in Ontario in terms of education. The minister is changing the way education has been funded in this province. She is centralizing powers in her ministry with every piece of legislation and everything she does.

If the Minister of Education nods her head—

Hon. Miss Stephenson: I did not nod it, I shook it. I do not agree with a word you have said, not one.

Mr. Martel: Now you have provoked him.

Mr. Foulds: You were on a roll, Bette.

Mr. Martel: You should have quit when you were ahead.

Mr. Grande: If the Minister of Education shakes her head—

Hon. Miss Stephenson: At least I have enough cells inside to shake.

Mr. Foulds: A few of them are burned out.

The Deputy Chairman: Do not let these interruptions cause you to be diverted from the motion.

Mr. Grande: Not at all.

I have been trying for the past several years to say certain things to the Minister of Education, to get the Minister of Education to understand certain realities about the educational process in this province; and the Minister of Education refuses to understand. She shakes her head and says, "That is not the way it works."

10:10 p.m.

Let me say to the Minister of Education that her head will not be allowed to remain in the sand for too long in terms of education in this province. The shaking of the minister's head is perhaps because of the fact that the Premier the other day, last week—or was it a little over a week ago?—met with the Workgroup of Metro Parents for two hours.

Where is the Premier? I thought he was here; then he could shake his head either no or yes, at least.

The Workgroup of Metro Parents went to the Premier and said to him not once, not twice, but thrice, "We want to meet with you; we want to talk about these education concerns that we have about our kids." The Premier knew the guillotine was going to be used in this Legislature, and he had to appear to have talked to the parents.

At that meeting I understand when the parents asked about the industrial-commercial assessment pooling, the Premier—

The Deputy Chairman: The member is not speaking to the motion.

Mr. Grande: Mr. Chairman, I certainly am; I am talking to funding. The Minister of Education, through this legislation, is putting a cap on the amounts of money the boards of education could raise to provide educational services and meet the educational needs of kids. That is what I am talking to. I was referring to the Workgroup of Metro Parents, which met with the Premier about a week and a half ago.

The parents asked the Premier about the industrial-commercial assessment pooling, that tax grab of the local levy that the province wants to pool in its own coffers; in Metropolitan Toronto it will mean \$90 million that will come to the provincial coffers from the educational sector alone—and let us leave the Minister of Revenue out of this, because the Minister of Education wants to bring market value assessment for educational purposes long before he will be able to do it in terms of municipal services.

I ask the Minister of Education, on that day when the parents asked, did the Premier say to the parents: "What are you talking about, industrial-commercial assessment? This is not the policy of the government. This will never be the policy of this government." There was the Premier shooting down the Minister of Education in front of the Workgroup of Metro Parents.

What the minister clearly wanted was to pull out of Metropolitan Toronto, over a five-year period, \$90 million of educational services to

kids. At the same time, the minister wants to put a cap on the amount of money the boards of education can raise through the local levy. It is amazing, the double cutback, the double-whammy, kids will really suffer at the hands of this government and in the hands of this minister.

I think those ministers who are here should be concerned about what the Minister of Education is doing and the plans she has. If they are not concerned, let that be on their heads.

I understand the Metropolitan Toronto School Board is opposed to pooling. I understand the Etobicoke Board of Education is opposed to pooling. I understand the North York Board of Education is opposed to pooling; and Scarborough and everyone else in Metropolitan Toronto are opposed to this pooling concept of the ministry.

The Martin proposal supposedly is dead. Of course it is not dead. It will come to haunt kids and educational services to kids under another name. Martin was dropped, true, but somebody else will come forward with the same proposal.

Basically what I am saying is that the Minister of Education and the government ought not to make it their business to put a cap on the amount of educational dollars that the local elected trustees wish to raise.

My friend tells me to wind down. I do not know why. I am winding up.

Mr. Nixon: Who would ever tell you to do that?

Mr. Grande: Certainly the member has not yet.

The Toronto Star in an editorial on January 4 said: "The other worrisome part of Bill 127 freezes at 1.5 mills the amount of extra money each board may raise through taxes to hire more teachers. Stephenson originally intended to slash this amount by one third, but she relented in October after parent delegations expressed concerns about firing teachers.

"Nevertheless, if the taxpayers are willing to pay, it seems inherently unfair to restrict the school board's ability to raise any amount of its own funds to meet the needs of children, particularly when the provincial government itself has been so niggardly with the education funding."

So do not force local boards of education to raise money at the local level, while at the same time the ministry is starving boards of education with lack of funding to provide services to kids. If the minister does not give them money then

the money has to come from some other place. I would suggest the money should not be coming from elsewhere; it should be coming from the ministry. I guess we will keep debating this aspect.

As I mentioned during the debate on the minister's amendment, the Board of Trade of Metropolitan Toronto came before the standing committee on general government. Their contribution to the local levy was really something to behold. In essence, they said that to have a local levy is unfair because that would put a board and children in that board at an advantage over the other area boards in Metropolitan Toronto.

We see where the levelling down of educational services comes from. It comes from the Board of Trade of Metropolitan Toronto. Basically they say: "Get rid of the local levy. If you don't get rid of the local levy, you don't achieve equality of educational opportunity." As I said before, these are the minister's masters. It is these masters that the government obeys.

My masters are the children in Metropolitan Toronto and the province who need educational services. Therefore, I am here day in and day out, whether it be for six months, one year or two years; as long as I have breath, to use the minister's words, I will stand up in my place and fight on behalf of those kids who need special education or English as a second language programs, on behalf of those kids whose parents want them to learn French, on behalf of those kids in the inner city of Metropolitan Toronto or the city of Toronto who need services at schools, and on behalf of the children of immigrant parents who require the services in order for them to improve, in her own words, their lot in life.

Do not prevent it by this bill. Accept the amendment that my friend the member for St. Catharines put forward and begin to fund education. The minister and Premier have stated on many occasions that education is a priority in this province. Prove it.

Within the next week or so, the minister is going to come out with general legislative grants. Let me find out—and prove me wrong—that the amounts of money she will provide for school boards is not going to be five per cent but in the 10 to 12 per cent range which, in effect, means the minister is seriously committing this government to quality education in this province and in Metropolitan Toronto. I do not think she will do it. Until she does it, this party will be standing up on behalf of children.

10:20 p.m.

Hon. Miss Stephenson: Mr. Chairman, in the light of the fact that I have announced there will be an individual appointed as a committee of inquiry to inquire into the entire principle of discretionary levy, and since the discretionary levy has been at the same level, with increasing returns, as I am sure the honourable member knows, because Metropolitan Toronto has had an assessment increase of something over 500 per cent in the past decade, I believe it would be inappropriate to support this amendment. It would be wiser to wait until the individual appointed as the committee of inquiry has an opportunity to report before such a change is made. Therefore, Mr. Chairman, I ask, under

rule 36, that this question now be put, as amended.

10:33 p.m.

The committee divided on Hon. Miss Stephenson's motion that the question be now put, which was agreed to on the following vote:

Ayes 57; nays 37.

The committee divided on Hon. Miss Stephenson's motion that section 8, as amended, should stand as part of the bill, which was agreed to on the following vote:

Ayes 57; nays 37.

On motion by Hon. Mr. Wells, the committee of the whole House reported progress.

The House adjourned at 10:36 p.m.

CONTENTS

Monday, February 21, 1983

Committee of the whole House

Municipality of Metropolitan Toronto Amendment Act, Bill 127, Miss Stephenson, Ms.
Bryden, Mr. Bradley, Mr. Grande, Mr. Sweeney, Mr. Rae, adjourned. 7863

Other business

Adjournment. 7876

SPEAKERS IN THIS ISSUE

Ashe, Hon. G. L., Minister of Revenue (Durham West PC)
Barlow, W. W. (Cambridge PC)
Bradley, J. J. (St. Catharines L)
Brandt, A. S. (Sarnia PC)
Bryden, M. H. (Beaches-Woodbine NDP)
Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
Cureatz, S. L., Deputy Speaker and Chairman (Durham East PC)
Di Santo, O. (Downsview NDP)
Foulds, J. F. (Port Arthur NDP)
Grande, T. (Oakwood NDP)
Gregory, Hon. M. E. C., Minister without Portfolio (Mississauga East PC)
Havrot, E. M. (Timiskaming PC)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Rae, R. K. (York South NDP)
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
Stokes, J. E. (Lake Nipigon NDP)
Sweeney, J. (Kitchener-Wilmot L)
Van Horne, R. G. (London North L)



No. 220

Legislature of Ontario Debates

Official Report (Hansard)



Second Session, Thirty-Second Parliament

Tuesday, February 22, 1983

Afternoon Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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LEGISLATURE OF ONTARIO

Tuesday, February 22, 1983

The House met at 2 p.m.

Prayers.

CENTENARY OF ELECTION OF HONORE ROBILLARD

Mr. Boudria: Mr. Speaker, I am sure all honourable members will join me today in commemorating the 100th anniversary of the election of the first French-Canadian to the Legislative Assembly of Ontario. Sunday, February 27, will mark the centennial of the election of Honoré Robillard as member of the provincial parliament for Russell county, now part of the great riding of Prescott-Russell, which I have the honour and privilege to represent.

Mr. Robillard was born in St-Eustache, Quebec, on January 13, 1835. He was a contractor and reeve of Gloucester township in 1873. He remained the only francophone member until the general election of 1886, when Albert Evanturel was elected in Prescott county and Gaspard Pacaud was elected to represent the great riding of Essex North.

M. le Président, je demanderais à tous les honorables députés de se joindre à moi pour commémorer le centième anniversaire de l'élection du premier francophone à l'Assemblée législative de l'Ontario. En effet, dimanche prochain, le 27 février marquera le centenaire de l'élection de Honoré Robillard à titre de député provincial pour le comté de Russell, maintenant intégré à la constitution de Prescott-Russell que j'ai l'honneur et le privilège de représenter.

M. Robillard naquit à St-Eustache, Québec, le 13 janvier 1835. En 1873 il était entrepreneur et préfet du canton de Gloucester. Il demeura le seul député francophone jusqu'aux élections de 1886 alors que Albert fut élu dans le comté de Prescott et Gaspar Paquot dans le comté de Essex-nord.

M. Rae: M. le Président, au nom de mes collègues dans le Nouveau parti démocratique, j'aimerais me joindre aux remarques qui viennent d'être faites par le député de Prescott-Russell. Nous honorons aujourd'hui non seulement l'anniversaire d'un homme qui a représenté la

communauté francophone, le premier à être élu dans notre législature, mais nous célébrons aussi la contribution de la francophonie et de la communauté francophone dans la vie de notre province, et je dois dire que, naturellement, nous attendons le jour où cette contribution sera reconnue d'une façon officielle.

Mr. Speaker: The member for St. Catharines.

Mr. Nixon: Gregory wants to speak in French. Wait a minute.

Mr. Bradley: Did he want to speak in French?

Hon. Mr. Gregory: Who, me?

[Later]

M. Piché: M. le Président, sur un point de privilège, j'aimerais appuyer la remarque de mon collègue de Prescott-Russell et souligner le centième anniversaire de l'élection de Honoré Robillard, le premier francophone élu député du comté de Russell pour le Parti conservateur le 27 février en 1883. Je veux souligner cet anniversaire de ce côté-ci de la chambre.

Mr. Speaker, what I have just said is that it is a privilege for me to support the remarks made earlier by my colleague the member for Prescott-Russell when he mentioned we were celebrating the 100th anniversary of Honoré Robillard, the first francophone member of the provincial Legislature, elected on February 27, 1883, for the parti conservateur.

TELEGUIDE PICTURES

Mr. Bradley: Mr. Speaker, I have a very important point of privilege to bring to your attention and I know you will agree it is a point of privilege that the Attorney General (Mr. McMurtry) would be particularly interested in, probably the Minister of Health (Mr. Grossman), perhaps even the Minister of the Environment (Mr. Norton), and certainly the Minister of Agriculture and Food (Mr. Timbrell).

In the Teleguide which is located in this building over which you have jurisdiction—in fact, it is close to your office—if one presses the secret code, six, seven, and go, a photograph of the Minister of Industry and Trade (Mr. Walker) appears.

Mr. Nixon: Surely not.

Mr. Bradley: With five and seven, there is a picture of the Treasurer (Mr. F. S. Miller); with four and seven, a picture of the Minister of Tourism and Recreation (Mr. Baetz); and with three and seven, a picture of himself, the Premier (Mr. Davis).

Interjections.

Mr. Bradley: I am trying to figure out what my point of privilege is and it is this: Since the Minister of Agriculture and Food has announced he is running for the leadership, I think someone over there, through your prompting, Mr. Speaker, should ensure that all cabinet ministers who are interested in pushing the present Premier out of office and running for his position should have equal time on the Teleguide.

Mr. Speaker: As the member said, that is hardly a point of privilege but it is interesting. I must confess I was not aware of that.

LICENCE PERIOD EXTENSION

Mr. Epp: Mr. Speaker, on a point of privilege: Since the Ministry of Transportation and Communications has changed its system for issuing licences, I wonder whether the Minister of Transportation and Communications (Mr. Snow) will make a statement to the Legislature today with respect to extending the period for obtaining this year's licences. As you know, there are a lot of—

Mr. Speaker: Order. When the minister appears, I am sure the member can ask him that during oral questions.

STATEMENT BY THE MINISTRY

NIAGARA RIVER POLLUTION

Hon. Mr. Norton: Mr. Speaker, as honourable members know, the monitoring and protection of water quality in the Niagara River has been and continues to be one of my ministry's major priorities.

We have established an action program to identify and deal with the key sources of pollution on both sides of the border, and ministry scientists are engaged in an extensive monitoring and analysis program of the water in that system. Our persistent testing has produced some preliminary data which I wish to bring to the attention of the members and the public.

Ministry results previously announced to the House indicated the presence of dioxin in some species of fish in the Niagara area waters, but to this date our scientists had been unable to confirm the chemical's presence in raw or treated water. As members probably know,

there is a broad range of relative toxicity in this chemical family, of which 2,3,7,8,-TCDD is the most toxic and notorious member.

To date we have completed 154 analyses of both raw surface water and treated drinking water from the Niagara area. My staff have consistently stretched their skills and equipment to the limit to detect even the slightest trace levels. In three samples of untreated water, they found indications that a member of the dioxin family of chemicals might be present in levels too low for our existing equipment to detect precisely. These three samples were sent to the federal Department of Health and Welfare, which has testing equipment capable of reliable analysis to a detection limit of 0.005 parts per trillion. While we have similar equipment on order, it will not be in operation until later this year. Our current detection limit is 0.250 parts per trillion for dioxin.

The federal laboratory in Ottawa confirmed our scientists' suspicions and reported traces of dioxin compounds at levels of 0.017 parts per trillion from the upper Niagara River, 0.010 from the lower river and 0.028 parts per trillion from the channel off the Welland Canal near St. Catharines. They also confirmed our own test results, which showed no traces of the dioxin family in treated drinking water samples from Niagara Falls, Niagara-on-the-Lake and St. Catharines.

The tests show such low levels, in only three of the total number of samples taken, that we cannot be absolutely certain that the samples were not contaminated in some way and that one of these dioxins was actually present in the river and canal.

2:10 p.m.

Since we have only preliminary data, which indicate the possible presence of dioxins at extremely low levels, we need further testing before any medical advisers can determine whether or not there is any significance. Our tests did not find any trace of dioxins in any treated drinking water. Our best advice now is that health concerns are unjustified.

My staff is advising the Niagara area municipalities of our test results to date and we are issuing an announcement to the public. We are continuing sampling in the area, at these and other locations, to determine if any dioxins are present and, if so, how they are transported in the water. We are taking larger samples, and if we find any further indication of dioxin presence, we will concentrate these larger samples

to determine if the toxic 2,3,7,8-TCDD compound is there.

There is no established guideline or objective for dioxins in water in Ontario or Canada. I have directed ministry staff to begin work immediately with the best medical advice to review research information and recommend criteria.

While we do not normally report scientific data at such an early stage with limited confirmation and interpretation of its significance, I felt that members should be advised of this development as a result of my ministry's diligent testing programs. I will keep members informed as new information comes to light and as we develop a more complete and accurate picture of the situation.

RESPONSE TO WRITTEN QUESTIONS

Mr. Conway: On a point of order, Mr. Speaker: As the winter session is now well advanced, for the second time in the past three weeks I want to draw your attention and that of the government House leader to standing order 81, the rules that govern the response to written questions standing in the name of members of my party. There are several questions, some of which are at least five months old, that have not yet been answered. Once again we want to draw to the attention of the government House leader our great concern that so many of these questions remain unanswered in what we consider a fairly sharp violation of the spirit and intent of standing order 81.

Mr. Speaker: I am sure the government House leader (Mr. Wells) will take note of your remarks and reply as quickly as he can.

CASE OF ADY GANDOUR

Mr. Breithaupt: On a point of order, Mr. Speaker: The Attorney General (Mr. McMurtry) was to make a statement with respect to the case of Ady Gandour, the man charged with assault in a certain event in the Brampton area. Do we know whether the Attorney General will be present today?

Mr. Speaker: I guess we will just have to wait and see.

Mr. Martel: Is this all out of the question period?

ORAL QUESTIONS

STATUS OF GREYMAC AND SEAWAY

Mr. Peterson: Mr. Speaker, in the absence of the Minister of Consumer and Commercial

Relations (Mr. Elgie), I have a question for the Premier.

I am sure the Premier is very well aware that up to this time no report has been filed in this House or very little public information given with respect to Seaway Trust or Greymac Trust. Given the fact his government had interim reports on January 15 and, we understand, received the report on Seaway Trust on February 10, some 12 days ago, and by every press account the Greymac Trust report may have been received or is at least imminent, can he indicate why the government has not filed these reports with the same dispatch that it filed the Woods Gordon report with respect to Crown Trust? What is the status of those reports? Why is the government not sharing that information with members of this House and the public, particularly when the government was under such pressure to pass legislation with Crown Trust?

Hon. Mr. Davis: Mr. Speaker, I recall the time frame for Crown Trust which, initially, we thought the Leader of the Opposition supported, but in his rather contradictory fashion did not. I think the minister has made it clear that the situation with Seaway and Greymac may be somewhat different from Crown Trust. I have heard him say on a number of occasions that they were all being dealt with.

I cannot tell the honourable member whether the report on Greymac has been received. I can only assure him and the members of the House that the government will deal with those reports in the way we think is in the public interest as we did with Crown Trust.

Mr. Peterson: How is the government going to answer the many depositors who have a very high degree of anxiety at the present time about the state of their assets? Let me give the Premier an example. A gentleman phoned me this morning, a Mr. Chris Christoff. On December 3 he made a deposit of more than \$60,000 in Greymac Trust and on January 12 he withdrew \$20,000. It took three weeks to clear that cheque. He has no other source of income. He is unemployed at the present time. He is now contemplating selling his house because his assets are dwindling and he has absolutely no idea whether there is going to be any recovery.

Does the Premier really feel it is fair to put the thousands of depositors of those two trust companies through this kind of anxiety when he has the information, when it is within his power to come forward and tell people the exact state

of the assets of those companies and what the recovery will be?

Hon. Mr. Davis: I think the Minister of Consumer and Commercial Relations had conveyed to the House certain factual information. I am not familiar with this particular person's concern. The Leader of the Opposition says that he deposited in early December. Was that the date he gave me?

Mr. Peterson: December 3.

Hon. Mr. Davis: On December 3 he deposited something in excess of \$60,000 into Greymac. I am only going by memory, but that was after, I guess, there had been some indication of certain difficulties, and I am not in any way quarrelling with the decision of this individual to deposit in Greymac.

As I recall the minister's information to the House and to the public, those who have invested in Seaway and Greymac, the depositors, the hundreds the member refers to, who are not that large in numbers in terms of those with more than \$60,000, was that those who have deposited only \$60,000 will be paid.

Mr. Di Santo: Certainly the Premier cannot be familiar with all the details, but I would like to ask him if he is aware that Zen Contracting, which was remodelling the headquarters of Greymac, was frozen on January 17 and 40 workers have been out of work since then. In view of the fact that a report has been delayed until now, may I ask the Premier if he can give us a commitment that a report will come out soon and the matter will be clarified? If he cannot do that today, can he tell us whether the government has anything in the works that it can tell these people? Do they have to stay idle or will the situation be resolved pretty soon?

Hon. Mr. Davis: I would say to the member for Downsview that, obviously, I am not familiar with that particular situation. I assume from what he has said in his question that some construction or remodelling work was going on at one of the offices of Greymac—

Mr. Di Santo: The headquarters.

Hon. Mr. Davis: —at the headquarters of Greymac, and that the subcontractors or the general contractor have not been paid either in part or in full. I am not sure whether they have been paid partly or not. I would only say to the honourable member I am sure they have sought legal advice about whether the filing of a mechanic's lien would have any legal base. It probably would have a legal base. Whether it would lead to a recovery on that particular

facility, I would not wish to comment. I assure the honourable member that as soon as the information relevant to Greymac is available and it is in the public interest to make it public, the government, of course, will do so.

Mr. Peterson: Do I understand the Premier's opinion now to be that people should not have invested because they should have been aware of these certain difficulties after the press reports? Is that what he is telling me? He told the city of Brampton they should not have invested in Greymac Trust because they should have been aware. He is telling them they are not very bright and now he is not going to protect them. Is that what he is saying? Is that his government's position?

Is he saying because there are not many investors with more than \$60,000 he does not feel obliged to recompense them? Is that what he is telling us? I want to know why there is such a shortage of information, particularly since he has had the Seaway Trust report since February 10, 12 days ago. He is not doing anything to allay that anxiety.

I am going to ask him the second part of my supplementary. Will he stand up in this House and guarantee those depositors, such as this gentleman who phoned me today with a very real personal concern, that regardless of what happens his interests will be protected? Is that not surely the responsible route, given the negligence of the government's regulatory system.

2:20 p.m.

Hon. Mr. Davis: Once again the Leader of the Opposition is factually incorrect. Roughly three weeks ago I made some observations relating to the Peel Board of Education, not to the city of Brampton. I did it in a way that was not critical.

In the answer to the first part of the question today, I did not question the judgement of the person who had deposited money in Greymac. I think I am correct in recalling some criticism from the Leader of the Opposition that in certain printed publications that were available in the press, but distributed as well, Greymac was included on that list of trust companies. So he himself had been critical of something he said I have been critical of when I have not been.

Mr. Peterson: I never understand what the Premier says.

Hon. Mr. Davis: I am just pointing out how totally wrong the Leader of the Opposition is in making those assumptions. The government has indicated that it is dealing with Seaway and with

Greymac. I think it is premature to come to a conclusion. The part that concerned me about the Leader of the Opposition's rhetoric was that many hundreds of Seaway and Greymac depositors would be in real jeopardy.

Mr. Peterson: Tell us how many are in jeopardy then.

Hon. Mr. Davis: I think he knows enough of the situation to know that in numbers terms, while there are some depositors who have substantial deposits, such as the Peel board, when he says they are in the hundreds, he is grossly exaggerating.

CONFLICT OF INTEREST

Mr. Riddell: Mr. Speaker, I have a question of the Minister without Portfolio and chief government whip. I ask this with the greatest respect for the Legislative Assembly and the way it conducts the business of this province.

In view of the great interest and preoccupation of the minister's federal colleagues with matters of conflict of interest, would the minister not agree that his direct participation in the decision of a committee of the Ontario cabinet to nullify the decision of the Ontario Municipal Board—a decision, by the way, supported by area residents, the city of Mississauga, the region of Peel and the Credit Valley Conservation Authority—constitutes a conflict of interest on the minister's part, particularly in view of the fact that, according to newspaper reports, he has received \$1,480 in campaign contributions from the developer, William Sorokolit, and he has his constituency office in the Central Parkway Mall owned by the same developer?

Hon. Mr. Gregory: Mr. Speaker, the answer to the member's first question is no. The answer to his second question is also no.

Mr. Riddell: As a member of the cabinet, which has produced new and very stringent conflict of interest rules for those who serve at the municipal level, would the minister not agree that he should subject himself to the same kinds of rules to set an example for others, and does he not feel that this whole affair merits the submission of his resignation from cabinet?

Interjections.

Hon. Mr. Gregory: I think the members on this side of the House have answered the member's question for me.

Mr. Riddell: Could the minister tell me whether the cabinet has sets of guidelines pertaining to conflict of interest?

Hon. Mr. Gregory: Yes.

DEATHS AT HOSPITAL FOR SICK CHILDREN

Mr. Rae: Mr. Speaker, I have some questions about calendars that I will gladly give to the member for Huron-Middlesex (Mr. Riddell).

I would like to turn to the statement that was made yesterday by the Attorney General with respect to the investigations at Sick Kids hospital. I would like to ask the Attorney General to turn to page 3 of that statement, if he could—

Mr. Speaker: Just place your question, please.

Mr. Rae: —just to simply consider this question.

He quotes selectively from the recommendations of the report from the disease control centre and he refers to the fact that they say an "increased occurrence of deaths resulted from purposeful overdoses of digoxin." He then switches and refers to the fact that of 36 ward-associated deaths that occurred during what he describes as the epidemic period, "there are 28 deaths for which the findings regarding the cause of death are not inconsistent with digoxin overdose."

He then continues with the statement, in which he says there is significant scientific evidence that seven of these deaths were caused by what is described as a deliberate overdose of digoxin, which, I would submit, is quite different from a purposeful overdose. Then he says, "Three were the subject of the charges which were found to be murders by the preliminary hearing judge," which is not the case. As the minister knows, the preliminary hearing judge found simply that there was sufficient evidence to go to a jury with respect to those three deaths.

Given the fact that even if it is granted that seven of the deaths were murders, this still means that, according to the figures and the information the Attorney General himself is admitting to, there are 21 cases that he describes as not inconsistent with digoxin overdose for which there is apparently no explanation, or at least no explanation that either the Attorney General or the Minister of Health (Mr. Grossman) has been able or willing to provide to this assembly or to the people of Ontario or to the parents of these children, does the Attorney General not think that, regardless of whether he decides to lay criminal charges for whatever reason, the public of Ontario is entitled to a full royal commission to determine who is responsible for the fact that during a nine-month period a number of deaths occurred for which there is as yet absolutely no satisfactory explanation of the degree of responsibility or culpability for any of these events?

Hon. Mr. McMurtry: With respect, Mr. Speaker, I see nothing in the leader of the New Democratic Party's question that has not been asked before or has not been in statements that have been made before. But just for the sake of this discussion, obviously there is going to be a great deal of ongoing concern in relation to at least 28 deaths, the seven we properly described as deliberate overdoses of digoxin and the 21 that according to the scientific findings are not inconsistent with digoxin poisoning.

Assuming criminal charges are laid in any of these deaths, the criminal trial would have to take precedence over any public inquiry. In other words, I am sure the leader of the New Democratic Party appreciates that if, for example, murder charges were laid with respect to several of the deaths, one cannot have a murder trial proceeding at the same time as a public inquiry into the other deaths because the evidence related to all of the deaths is quite relevant. Under our system of justice, any inquest or other judicial inquiry related to matters out of which criminal charges have arisen has always awaited the outcome of the criminal trials for very good reasons.

In the honourable member's hypothetical situation, in the event that criminal charges were laid only with respect to several deaths, and assuming the disposition of those criminal charges—and they are obviously going to be disposed of at some time—the appropriate manner of assuring the public that everything reasonable had been done to discover the cause of the other deaths might well mean a form of public inquiry. That is something that could well happen. But I just want the member to appreciate that such a process would have to await the outcome of any criminal trial. This is fundamental to the proper administration of justice in this province.

2:30 p.m.

Mr. Rae: I appreciate what the Attorney General has said, but I would like to ask him to consider another, not entirely contradictory point of view with regard to this problem.

Regardless of what criminal charges he may or may not lay, there is a separate question with respect to the administration of the hospital as to what information was known and when, how it was known and what was done about that information, as well as the question of the civil obligations of the hospital and of the hospital board and of the hospital administration.

Surely the Attorney General will appreciate that if people are going to have full confidence

in that hospital and its administration, it has to be seen that it is not simply a matter of one or two people being singled out with respect to anything that may or may not have occurred during that nine-month period. For full confidence to be restored, there has to be the kind of inquiry and recommendations that will get at the question of exactly what happened, who was responsible and why certain things were not done much sooner. This was a nine-month period; charges were not laid until March and then only with respect to deaths that occurred in March and one that occurred in January, which leaves out a whole period.

Mr. Speaker: Question, please.

Mr. Rae: Does the Attorney General not see that even if a criminal charge is proceeded with, there is a separate question that has to be dealt with? It was not dealt with by Mr. Justice Dubin, with great respect, because he was not asked to deal with that question. It was not dealt with by the Centers for Disease Control in Atlanta, by the police investigation or by the internal review by the hospital. There has to be a determination of who was responsible, who was in charge of the situation and whether other things should have been done to prevent the tragic occurrences that took place during those nine months.

Hon. Mr. McMurtry: As all members appreciate, one of the major concerns of the Minister of Health in respect to the ongoing criminal investigation and any trials that might result therefrom was that the public be assured that the whole issue at the Hospital for Sick Children was being dealt with properly in so far as the public interest was concerned. This was the reason for the very comprehensive and important investigation conducted by Mr. Justice Charles Dubin.

We have his very comprehensive report. I think the public can be assured that at present everything reasonable is being done to ensure the highest possible level of safety for the youngsters in that hospital.

I readily concede the leader of the New Democratic Party's proposition that even if there are criminal charges, even if they are disposed of and even if there are convictions, there may well still be some unanswered questions. I would say that might very well be so. Even if there are criminal charges and these trials proceed to a satisfactory conclusion, it may well be necessary to have yet a further public hearing to deal with any of these unanswered questions.

I am not suggesting for a moment that everything is going to be resolved if there is a criminal prosecution. I readily concede that the public interest may require an additional airing quite apart from any criminal charges. The only point I am trying to make is that a public inquiry would have to await the outcome of criminal charges. I am not suggesting for a moment that the issues the honourable member has raised are not legitimate and relevant.

Mr. Peterson: Mr. Speaker, surely this matter has to be understood in context. If this matter had happened in any other city in the world, we would have read about it in our press. This is a world-class series of events. This is unique in human history, at least to the best of our knowledge. It has to be treated with that kind of seriousness.

Rather than the kind of pious speeches the Attorney General made yesterday in defence of the police force, or his upholding the criminal justice system, does he not agree that in addition to looking at those matters raised by the leader of the New Democratic Party, he is obliged to have an independent review into the behaviour of the police in this matter—why those charges were laid when they were, why they did not have sufficient evidence, the behaviour of the crown attorney at that time and the police conduct subsequent to that—to make sure we have the capability at least to examine this kind of situation in the future. Surely that deserves an independent scrutiny.

Hon. Mr. McMurtry: Mr. Speaker, I do not think there is anything that I can add to the response I gave to the leader of the New Democratic Party. I just point out that the recommendations of the Atlanta study do refer to the fact that situations of this sort “have occurred before and may well occur again.” But, having said that, I do not deny for a moment the seriousness and the relative uniqueness of this incredible tragedy.

The fact of the matter is, for the leader of the official opposition to suggest for one moment that every possible, reasonable human effort has not been made to resolve these issues is to cast an unfair and irresponsible cloud about a number of very dedicated people who have committed a good deal of time, talent and energy to resolving this issue. I regret that the leader of the official opposition is so preoccupied with trivializing every issue that comes along and so interested in creating smokescreens that it is very difficult to have a rational debate as far as he is concerned.

Ms. Copps: That is absurd, absolutely absurd, and you know it. You owe an explanation to those parents.

Mr. Speaker: Order.

Mr. Rae: The Attorney General, in the semi-final sentence of his statement yesterday, the second to the last paragraph, said that—

Hon. Mr. Davis: Semifinal? What about the second final one?

Mr. Rae: The Premier (Mr. Davis) is an expert. I am taking my lessons in the English language from the Premier; so if it sounds obscure, that is the reason.

The Attorney General says the public hearing could either go through an inquest, a judicial inquiry or a royal commission. In that regard, does he not believe that a coroner's inquest is not the appropriate vehicle for the kind of investigation that deals with the broader questions of the responsibilities of the hospital, the police and the Attorney General's office and that it would be inappropriate to take the coroner's inquest route?

Will he not consider eliminating that possibility and simply look at the question of the need for a broadly based royal commission whose terms of inquiry would clearly establish the degree of responsibility of all those people in the hospital on the hospital board and in terms of the administration of justice in this regard? To go the route of a coroner's inquest would so narrow the inquiry as to make it impossible for us to deal with the broader questions of responsibility and culpability in this matter.

Hon. Mr. McMurtry: I would agree that the traditional coroner's inquest would probably not be the appropriate route to go. The terms of reference, as the leader of the New Democratic Party properly suggests, would have to be broader than that. I am simply not eliminating that consideration, because this will be a decision of cabinet as a whole. But I would agree that any such inquiry would be broader than the terms of reference that are normally part of a coroner's inquest.

INSPECTION OF NURSING HOMES

Mr. Rae: Mr. Speaker, my second question is to the Minister of Health and it concerns the question of the inspection of nursing homes and the administration of the Nursing Homes Act and the regulations thereunder.

I ask the minister to take into account the fact that a Ministry of Health employee has stated to the Concerned Friends of Ontario Citizens in

Care Facilities that the reason there are no random inspections is not only that they do not have enough inspectors but also that "the owners take offence at such visits and it makes it more difficult to get their co-operation in the future."

We have the evidence of the Ark Eden inquiry, where one of the recommendations was that all visits must be unannounced. We also have the statements that were made to members of my staff by Miss M. E. Butteriss, the administrative assistant to the manager of nursing home services, who said the reason there was no random inspections of nursing homes, apart from a response to complaints and the annual review inspections, was that there was "no staff time left."

Given that for the 340 homes in the whole of the province, there are three environmental health inspectors, three fire inspectors, 14 nursing inspectors and three regional supervisors, is the minister telling this House he feels he has the adequate staff to do the kind of random and spot inspections which he has said to this House he feels are necessary? If so, can he please explain to the House how he thinks that is so when one looks at the record of what has happened?

2:40 p.m.

Hon. Mr. Grossman: Mr. Speaker, might I remind the honourable member that we still have 340 nursing homes in this province providing good and adequate service. They have been effectively scrutinized for a number of years by what I consider to be an excellent inspection team. That is one of the reasons I feel comfortable in saying we have adequate staff. The system is good.

I understand the member's inclination to be opposed to the private nursing home system as a matter of principle and philosophy. We do not happen to believe that on this side of the House. The member's proclivity to believe it must be bad if it is done by the private sector leads him to believe the whole thing does not work well.

It works well and it works because of the dedication of most of the private operators and the effectiveness of the inspection team. Because there are problems from time to time does not mean the whole thing does not work.

The member indicated yesterday in almost the same question that it was his information random inspections did not occur, yet a moment ago when he quoted my staff person as the source for that information—

Interjection.

Hon. Mr. Grossman: He had better read Hansard. A moment ago—

Mr. Rae: The statement I just made is exactly the same as the one I made yesterday.

Hon. Mr. Grossman: The member can dig himself out later.

A moment ago the member indicated his information came from a certain person in my branch. He said, and I wrote the words down as he said them, that no random inspections were done apart from the annual inspections and apart from responses to complaints. That is quite different from what he said yesterday. He asked, "Why is it you do not do random inspections?"

Mr. Rae: No, it is not.

Hon. Mr. Grossman: I would like the member to stand up and read what he said yesterday because today—

Mr. Rae: I will read it right now.

Hon. Mr. Grossman: He should do that and let us hear it.

Mr. Speaker: Order.

Mr. Rae: I will read it right now for the minister since he is misquoting me and misstating what I said.

Mr. Speaker: Order.

Mr. Rae: I am sorry, Mr. Speaker, but the minister has twice misstated. He got away with it once, but he is not going to get away with it twice.

Mr. Speaker: Order. This is deteriorating into a personal debate. I will hear the supplementary of the member for York South.

Mr. Rae: Mr. Speaker, I think I am entitled to correct the record. The minister has twice made an accusation with respect to what I said.

Mr. Speaker: I am not going to pass any judgement on that.

Mr. Martel: He has Hansard from yesterday.

Mr. Speaker: All right. That is fine. He can sort that out with the minister at the appropriate time.

Mr. Rae: The supplementary is what I asked yesterday, quoting from Instant Hansard:

"Can the minister confirm that there are no random spot checks conducted by the ministry but simply a response to individual complaints plus the routine review done at the time of renewal?" That is precisely the same phrasing I used today. It is exactly the same point. Apart from responses to complaints and licence renewals, there are no random spot checks. That is the evidence of his

ministry and the evidence of the Ark Eden inquiry.

I am tired and fed up with the cheap, sleazy tactics the minister uses in responding to these very basic statements that have been made. They just will not add up.

Mr. Speaker: Now for the supplementary.

Mr. Rae: If the minister is doing such a marvellous job, can he explain why, in the coroner's jury verdicts that have come out in the past while, there have been several recommendations since 1981 with respect to amendments to the Nursing Homes Act in terms of requiring emergency policies and procedures under the act, establishing better safety standards and so on? The only changes in regulations that have been made by his ministry have to do with the amount of money being charged. Can he explain that?

Hon. Mr. Grossman: First, I know the member would want to make sure enough funding was going to the nursing homes or else he would be standing up complaining that since we did not give enough, the shortage would come out in nutrition and in services being provided to the residents. We make these adjustments because we want to make sure the homes are funded to a decent level in order that those services can be provided.

Second, as I have stated several times in the past few days, changes are to be made in the next couple of months. The member will see those shortly.

Third, the impression left here yesterday was that there were no random checks. I am glad the member took the opportunity today, after I provoked him to do so, to clarify that what he meant to say yesterday was that, apart from the random checks, there are no random checks.

Interjections.

Mr. Speaker: Order.

Ms. Copps: Mr. Speaker, while we are on the subject of contradictions, I wonder whether the minister might clarify to this House an apparent contradiction between something he said last Friday with respect to the investigation of 17 further nursing homes over and above the Ark Eden Nursing Home. On Friday, the impression was certainly left in the media that there were concerns specifically expressed about 17 more nursing homes.

Mr. Speaker: I might point out to the member that the supplementary has to come out of the original question or the answer—not from something last Friday, but from the immediate question.

Ms. Copps: Yes, we are talking about the Ark Eden Nursing Home. My question relates to the issue of the inspection of nursing homes raised by the leader of the third party. There is an apparent contradiction between what the minister said on Friday and what he said yesterday. It is now his position that the reason he is investigating or looking at these other nursing homes is simply that they are also homes for children rather than adults in the nursing home service.

Can he clarify to this House the apparent discrepancy between what he said on Friday about 17 other inspections and what he said yesterday, that it was more of a routine nature?

Hon. Mr. Grossman: Mr. Speaker, the honourable member has provided an important opportunity for me to say that I indicated to my staff last week, when this thing came to a head, that the team inspection approach, which is the one we used at Ark Eden earlier this month, as opposed to sending one or two inspectors in on a random check—

Mr. Foulds: A prearranged check.

Hon. Mr. Grossman: Repeat it again and tomorrow I will stand up and correct what the member is saying again.

Instead of sending one or two inspectors in, we were taking a team approach. We were sending in a team, as we did at Ark Eden, and we were now prepared to send in teams to other homes. I want to be in a position, when I introduce the legislation in this assembly next session, to be fully satisfied about the situation and to provide a full report to the House at that time. I asked my staff, "How many team inspections can we accomplish in the next couple of months?" Their answer was, "About 18 or 20." I then said late last week, "Let us send the 18 or 20 into the places you are most concerned about, if you have any concerns at all."

When we met again on Friday afternoon, my staff indicated to me, having looked at the list, there really were not 18 or 20 that caused them great enough concern to warrant sending in an inspection team. They then asked, "Minister, what would you like us to do?" I said on Friday afternoon: "Let us go into those circumstances where we tend to find the greatest dependency situations. They will be the homes that have young adults in them." So on Friday afternoon we decided to switch those 18 or 20 to those homes that have young adults in them, because there were not 18 or 20, I am relieved to say, that my inspection branch said they were terribly concerned about sending inspection teams into.

Mr. McClellan: The story does change every day, does it not?

Mr. Speaker, since the minister indicated yesterday that the results of the nursing home inspection reports we are discussing are not going to be made available until the form is changed, will the minister prepare a report that will advise this House whether, as a result of investigations, the four nursing homes I referred to yesterday have any history, in the past or at present, of violations of the Nursing Homes Act and regulations? If they have, will he tell us what the nature of those violations are?

The nursing homes are: The Good Samaritan Nursing Homes Ltd. in Alliston, Barton Place Nursing Homes in Toronto, Country Place Nursing Homes Ltd. in Richmond Hill and the Lakewood Nursing Home in Huntsville. The question is very simple. Is the minister going to tell us, or is he not, whether those four nursing homes have any record, past or present, of violations under the Nursing Homes Act or regulations?

2:50 p.m.

Hon. Mr. Grossman: Mr. Speaker, I will have a look at the situation of those four nursing homes since the honourable member raised them on a previous occasion. I think he raised some, if not all, of them, on a previous occasion. He raised them again yesterday. Obviously some people will be concerned about it if for no other reason than that he has raised it. Therefore, it is important that we try to resolve—

Mr. Martel: Now it is our fault.

Hon. Mr. Grossman: I did not say it was the fault of the members opposite. I said there will be some concern out there.

Mr. Swart: Sure. You should have answered it then.

Hon. Mr. Grossman: The member opposite was quite right when he raised the last concern about Ark Eden. Unlike the member for Welland-Thorold (Mr. Swart), the member for Bellwoods (Mr. McClellan) has a record of being right once in a while; therefore, I am going to look at those four and see how we can satisfy both the members opposite and the public with regard to the current situation.

NIAGARA RIVER POLLUTION

Mr. Kerrio: Mr. Speaker, I have a question of the Minister of the Environment. Considering the minister's statement today on the analysis of the Niagara area water, how does he respond to the comments in Saturday's Toronto Star by

Canadian and US scientists that unless politicians and governments immediately tackle the pollution problems in the Niagara River it will be too late, particularly as it relates to what is commonly called a witch's brew of chemical poisons and the river's largest polluter, the Niagara Falls, New York, water treatment plant? How does that square with what the minister is telling us today about the quality of water in the river? Is the minister as concerned as they are about cleaning it up?

Hon. Mr. Norton: Mr. Speaker, I am very surprised the honourable member would once again have to ask that question. Surely he has a memory long enough to recall the numerous times I have stood in this House both in response to questions from him and others and in statements to reaffirm not only my personal concern about the situation there but also the concern this government has had on an ongoing basis.

We have been very much involved in initiating many of the actions that have led to the establishment, for example, of the international committee on the toxics in the Niagara River, to promote the exchange of information and to promote speeding up the cleanup in the Niagara River.

Regarding the specific example the member cites with regard to the Niagara Falls, New York, waste water treatment plant, I have to say that over a period of two or three years—certainly we began prior to my incumbency in this ministry—we were after the American authorities to do something about the condition of that plant and the fact it had not functioned properly since its completion.

Publicly the commissioner of environmental conservation of New York state credited us, through the pressure we brought to bear on the American government over time, with having resulted in the release of significant funds for the restoration of the activated carbon beds that are part of that plant and had not previously functioned. As a result, the Environmental Protection Agency made available several millions of dollars to New York in order that the plant could be put in operation; to the best of my knowledge that is now under way, with the projected date for completion some 12 months to 18 months away because of the magnitude of the task.

Yes, we are very concerned about it. Yes, we have been active, and yes, it has been productive.

Mr. Kerrio: Was the minister advised by his representatives who attended a public hearing I

attended in Niagara Falls, New York, chaired by Maurice D. Hinchey, chairman of the committee on environmental conservation of the assembly of the state of New York, and did his people report back to him that there was a letter read into the record which said even if that work were done on that plant in Niagara Falls, New York, that because they are attempting to treat the city waste water and the chemical plant waste, the plant will not function and will not take the chemicals out of the water flowing into the river right now?

Did the minister's people report back to him about that letter read into the record? I wonder whether the minister is not just hiding behind the fact that the Niagara has a flow of some 200,000 cubic feet and they are just diluting the toxins to meet these requirements and the ministry is really not doing enough about it to guarantee that the river will be cleaned up.

Did the minister's people report back to him that the plant is not going to work even when the activated carbon filters are put back in place?

Hon. Mr. Norton: I have no doubt there are varying opinions about the effectiveness of the technologies they are using. I cannot say with certainty that I am familiar with the specific letter to which the member refers, but I can remind him—and I am sure if he casts his mind back he will recall that he is aware of this—that the standards now required for the effluent from that plant were tightened up as a result of the involvement of Ontario.

Last year, when the permit for the plant first came under review, we notified the state of New York of our intention to intervene. At that point they said: "Hold it. We will review it in conjunction with you and others." We sent them information on our position with respect to tightening up the parameters that govern the effluent coming into the river, and in fact much of what we asked for was achieved.

I say to the member, do not sit there and suggest we are indifferent to what is going on. We have continuously played a very prominent and significant role in improving the situation with regard to the Niagara River on the American side.

Mr. Charlton: Mr. Speaker, I would like to go back to the original question posed by the member for Niagara Falls and his reference to the minister's statement today. The statement indicates very clearly this is the first time that dioxins in any way, shape or form have been detected in water. The minister has said he is going to be doing ongoing testing. Assuming he

finds persistent indications of dioxin in the water, at whatever level, is he prepared, as we have requested a number of times in the past, to do whatever is necessary to ensure that our water treatment plants for Ontario residents are capable of dealing with that?

Hon. Mr. Norton: First of all, Mr. Speaker, even if we are able to confirm the results of those three out of some 22 tests that were taken at about the same time and which would appear to indicate that in the samples as tested there was some evidence—and now we are talking not in parts per trillion but in parts per quadrillion; we have taken another quantum leap—and that it was present in the original samples from the raw water as opposed to being introduced by way of the contamination of the samples at some point during the process, then I think it is important and very significant that at the same time as we did those tests we also took samples from the treated water at the water treatment plants in the immediate vicinity of those tests.

Not only our tests but also those of the laboratories of the Department of National Health and Welfare confirm that there is no evidence, even at parts per quadrillion, of any dioxin in the treated water. Why might that be the case? The belief on the part of the scientists is that dioxin is transported in water by being attached to suspended particulate. If that is the case, it would seem to confirm that our present system of treatment, through either flocculation or filtration, is successful in removing any evidence of dioxin from the water even at parts per quadrillion.

The short answer to the member's question, I suppose, is this. It would appear from this that the present system of treatment is successful in dealing with this contaminant if it is present in the water. If that is not the case, then obviously we will take whatever further steps are necessary to ensure that the water is both pure and safe for drinking. In fact, at levels of parts per quadrillion it does not even approach what is now viewed as the threshold for any possible remote chance of harm to human health.

3 p.m.

ONTARIO HYDRO CONSTRUCTION OFFICE

Mr. Martel: Mr. Speaker, I have a question for the Minister of Energy. Is he aware that Ontario Hydro has decided to close its construction branch in Sudbury and that this will result in the loss of maybe 60 to 80 jobs at a time when

we are losing probably 2,000 jobs in the mining industry permanently?

Does the minister not believe there should be a permanent construction office there to serve the four fifths of the land mass of this province which is represented by the north, rather than sending workers from the Toronto office, at a much higher cost, for the purpose of constructing new transmission lines or transformers? In short, should the government not be helping to develop the economic base in Sudbury rather than watching it being destroyed?

Hon. Mr. Welch: Mr. Speaker, I am aware of the matter for several reasons, not least of which is that yesterday morning the member for Sudbury (Mr. Gordon) called me to express his concerns. Indeed, he shares the concerns the member for Sudbury East has just raised in connection with the consolidation of our construction zone offices, which affects not only Sudbury but Peterborough and the head office here as well.

I would point out that since July 1982, when we had a peak number of about 1,200 employees in this area of lines and stations, that number is now down to about 800 as of this February. It is not as if this has just come upon the management of Hydro in order to rationalize what they may need in the way of employees to deal with immediate and future projects.

Notwithstanding the fact that some will be able to take advantage of early retirement provisions and will be offered job opportunities in the other parts of the organization, I share this concern with the members. Yesterday, following his conversation and a subsequent conversation I had with the chairman of Hydro, I asked if they would review that decision and he has assured me they would.

Because I share the concerns expressed, I hope that in reviewing this matter Hydro will take a number of factors into consideration, not the least of which, obviously, is the efficient operation of the corporation and the necessity to effect some savings in the system.

Mr. Martel: As one of the reasons given in a statement on the matter, Hydro cited the lower use of electricity by major consumers, such as Inco, as causing a reduction in Hydro revenues and, therefore, forcing Hydro to cut back.

Surely that should not be considered as one of the reasons. We realize the consumption of hydro may be down right now, but that will turn around. Falconbridge went back to work in January and Inco goes back on April 4. That should not be one of the considerations used in

making that decision, because it is a short-term problem.

According to my understanding, the minister is telling us the move by Hydro will reduce that work force from the figure he quoted to about 210 in total. At a time when the Treasurer (Mr. F. S. Miller) is attempting to create short-term jobs, Hydro is wiping out long-term and permanent jobs. The two do not seem to make much sense, do they?

Hon. Mr. Welch: I am not really familiar with the technical reason to which the member makes reference. I do not doubt that information has been obtained by him as part of his research. As far as I am concerned, the decision to rationalize or consolidate these offices was based on straight work load requirements with respect to lines and transmissions.

I reiterate what I indicated yesterday to the member for Sudbury when he called to express his concern. I have asked the chairman of Hydro to have this matter reviewed in the context not only of the immediate need, but the longer-term need the member has indicated.

Mr. Wrye: Mr. Speaker, when all is said and done and the gobbledegook is finished about early retirement and shifting people, surely the minister understands that if this review does not put those jobs back, we are talking about the loss of jobs for an area that can ill afford any further loss of employment.

Does this minister not believe that before these kinds of announcements that strike fear into the hearts of long-term employees are made, as the minister responsible he perhaps ought to take a hand and personally review such decisions to make sure that so-called rationalizations of employment by Ontario Hydro square with the kind of employment strategy the people over there supposedly have for the province?

Hon. Mr. Welch: Mr. Speaker, when making reference to the various options that may be available when people in the work force find their jobs terminated because there is no need for them to perform their functions, the minister should not really be accused of being insensitive to human needs when, in fact, at least two options may be available. There may be those with seniority who would take advantage of the provisions of early retirement. I do not know what the age group may be and indeed where they may be with respect to seniority. The opportunity to be placed elsewhere in the system might be an acceptable alternative.

I do not think Hydro is insensitive. Just in case

the member thinks this is the only case, he may recall that two or three weeks ago in the minister's own area—the member for Hamilton East (Mr. Mackenzie) raised this question—the regional office affecting the area from which the minister comes announced the Hamilton office would be closed and efforts were going to be made to relocate people.

The member cannot, on the one hand, stand in this House and talk in terms of making sure that Ontario Hydro is operated efficiently and that we keep costs down, and then criticize it when it reviews all these matters and attempts to rationalize. I repeat what I said to the member who asked this question, that we will have this matter reviewed and satisfy ourselves with respect to the consolidation suggested.

UNIVERSITY FUNDING

Mr. Van Horne: Mr. Speaker, I have a question for the Minister of Colleges and Universities. In November, the Council of Ontario Universities indicated it would need an additional \$31.1 million for equipment replacement. I have a difficult time talking through the member for Sudbury East (Mr. Martel).

Mr. Speaker: Would the member for Sudbury East please sit down.

Mr. Van Horne: It is bad enough looking to my left and finding that, but to look across and find it is more than I can take.

I will start again. The indication was that \$31.1 million would be needed for equipment replacement. When the minister announced the operating grants by press release last Tuesday—a release, by the way, we had to call for on Thursday because it was not distributed in the House on the day it was made, nor was it sent to our mailboxes; we had to call for it—it was indicated that \$12 million would be provided for equipment. I would like to ask how the minister expects the universities to make up the difference of \$19.1 million.

Hon. Miss Stephenson: Mr. Speaker, I am sure the member recognizes there may be some small problem in attempting to meet the wish list of every group for which the provincial government has some responsibility.

3:10 p.m.

I recognize those lists are important to the institutions. We have to do the very best we can to ensure that an amount of money is made available to provide the kind of support for those activities that were included within this

group of requests at the university level, and that is precisely what we did.

I apologize to the honourable member if the press release was not put into his mailbox. It was my understanding they were supposed to be there for all members. I would remind the member as well that very seldom do we release this information regarding colleges and universities in any other way than simply through information that is shared with the members on paper. We have not made it a practice, as I understand it, for many years to make a statement in the House about those allocations.

Mr. Bradley: Claude does it.

Hon. Miss Stephenson: Claude may do it, but in the Ministry of Colleges and Universities it has not been the standard practice.

Mr. Van Horne: I appreciate the difficulty the minister has in meeting everyone's needs, but in the light of the council's indication that it was expecting or hoping for some supplementary assistance through the Board of Industrial Leadership and Development program, does she intend to announce any more funding for equipment at the university or college level through BILD?

Second, when they made their request or indication in the fall they indicated they had a 15-year-cycle replacement program they wanted the minister to consider. Could she indicate whether she has considered that 15-year proposal, and also if there will be any additional funds for equipment from the BILD program?

Hon. Miss Stephenson: The request from the Council of Ontario Universities, like all other requests related to the university system of this province, is referred to the Ontario Council on University Affairs. They examine those requests in the light of their information and knowledge and make recommendations to us.

The 15-year replacement cycle is something I think they are looking at right now. But it is perfectly obvious the list that was developed by the Council of Ontario Universities was based on their assessment of their desires over the next few years, and we have done a great deal. In addition to the 12.2 per cent, which I would remind the member last year was about 1.5 per cent above the inflation rate, the 7.5 this year, which I believe is about one per cent above the projected inflation rate, and the additional \$12 million for library supplies and facilities, the BILD program has in the past two years provided approximately \$16 million to the universities specifically for equipment and for the upgrading

of facilities for the purposes of research and teaching.

ONTARIO HYDRO STAFFING

Ms. Copps: On a point of order, Mr. Speaker: I believe when the Minister of Energy (Mr. Welch) was responding to a question from the member for Sudbury East (Mr. Martel) and from my colleague the member for Windsor-Sandwich (Mr. Wrye) he may have inadvertently misinformed the House in that he implied in his answer the reason Hydro was forced to make these employee cutbacks was in an effort to restrain and to economize.

The minister should know full well that while 74 professional employees and staff and trainees are being let go from the Hydro offices in Toronto, Hydro is continuing to hire staff from the United Kingdom. I refer specifically to bulletins that the minister will be aware of where Don Tyler, the director of manpower—

Mr. Speaker: Order. Will the honourable member please resume her seat? With all respect, that is not a point of order.

Ms. Copps: With all respect, Mr. Speaker, they said they were cutting back to economize and they are hiring people from Great Britain.

Mr. Speaker: Order. No, I am not going to argue with you. Resume your seat, please.

PETITIONS

KICKBOXING AND FULL CONTACT KARATE

Mr. Riddell: Mr. Speaker, I have a petition signed by 115 residents of Goderich and surrounding municipalities. The petition reads:

"We the undersigned feel that Leo Loucks"—who, by the way, Mr. Speaker, is seated under your gallery; stand up, Leo, and be recognized—"should be allowed to try for the world championship title in London, Ontario, in April 1983. This bout was signed before the government announcement of a hold on the sport of kickboxing." I support the petition, as I believe the minister has done a great injustice to the sport of kickboxing and full contact karate by banning them before he had a chance to investigate these sports.

[Later]

Mr. Breithaupt: Mr. Speaker, I have a petition in response to the ban by the Minister of Consumer and Commercial Relations (Mr. Elgie) on full contact karate and kickboxing, which was announced a week ago today. The petition

contains 688 names and, with the addition of the 115 names just presented by my colleague the member for Huron-Middlesex (Mr. Riddell), there are now 9,507 people who have shown their opinion of this situation.

I am pleased to present this in the presence of Mr. Jean-Yves Theriault, who is seated under your gallery. He is the world middleweight kickboxing champion and a Canadian who has been involved in many international events.

CLOSURE OF AUDIO LIBRARY

Mr. Allen: Mr. Speaker, I have a petition addressed to the Lieutenant Governor and the Minister of Education (Miss Stephenson) with 356 names from Downsview, Scarborough, Pickering, Whitby, Oshawa, Agincourt, Ajax, Dunnville, St. Thomas and Toronto, which reads as follows:

"As taxpayers in Toronto, we would like to protest the fact that the audio library located at Trent University, Peterborough, Ontario, may be forced to close because it has never been able to obtain ongoing government funding. The program uses voluntary readers to tape and record textbooks for handicapped secondary and post-secondary school students thus enabling them to complete their education and become self-supporting citizens.

"Surely access to textbooks is not only a basic right to anyone, handicapped or not, but in the long term a moneysaver for the government, which would otherwise be forced to provide welfare payments."

MOTION TO SET ASIDE ORDINARY BUSINESS

Mr. Allen moved, seconded by Mr. Foulds, pursuant to standing order 34(a), that the ordinary business of the House be set aside to debate a matter of urgent public importance, that this House convey to the federal government its urgent conviction that the cruise missile and similar first-strike nuclear weapons, weapon systems and delivery vehicles not be tested in Canada under the recently signed umbrella agreement or any other agreement concluded between Canada and the United States.

Mr. Speaker: Just before you proceed, I would like to say that I have some reservation about accepting this motion. However, I do find that it does comply with standing order 34(a), it has been received in time, obviously, and I will be pleased to listen to the member for up to five minutes as to why he thinks the ordinary business of the House should be set aside.

Mr. Allen: Mr. Speaker, a matter of such urgent importance does demand the attention of this House, particularly in view of the fact that the Legislature will be rising in the next few hours, if not days, and probably will not have an opportunity to address this question again in the near future.

May I say that I do not introduce this motion, raising in any sense any question as to existing alliances in which we may be involved, but rather in terms of the strategies which are important to us as those alliances, with ourselves involved, pursue the question of peace in our time.

3:20 p.m.

What is at issue is whether the development of cruise missiles and similar systems moves us further towards that objective or not. In that respect, I suggest they not only put in question the traditional strategies we have followed since the Second World War, but also put in question the capacity to engage in any significant disarmament negotiations.

The reasons I propose this are not my own; they have been echoed on many sides. First, the cruise missile is a first-strike weapon which represents an entirely new Western posture in nuclear strategy. Traditionally, we have repudiated first-strike strategies. We have argued it was important to deploy sufficient deterrents to counter and indeed to make it entirely unsafe for any aggressor to launch any first attack upon us in the West.

We have moved a complete circle with this new weapon and related missiles to a position where we are proposing that first-strike capability and first-strike intimidation is the true deterrent. In those circumstances, we have moved to an entirely new international, new military and even new psychological situation in the arms race.

A weapon such as the cruise missile is a qualitative change in our strategy and as such should be addressed by all members of this Legislature as well as by the federal government. That this does not fall within our jurisdiction per se does not mean we should not address it. It is a matter which it is proper for ourselves or any other Legislature in this country to address, as with any matter of significant concern to us.

This new class of weapon is not detectable. It cannot be monitored by any of the traditional means. In that respect, it further undermines our current, strategic and disarmament planning. Having gone from escalation to escalation

in the belief there was an ultimate deterrent that would force the Soviet Union into significant concessions, negotiations and, ultimately, disarmament, we find ourselves in the horrifying position of proposing the horrifying and unsettling step of first-strike intimidation.

That will be matched by the Soviet Union and by the Warsaw Pact. In the past, we have followed a path of restraint in this country in denying ourselves nuclear weapons. It is appropriate and no sign of weakness to act, and I specifically say "to act," so as to counsel restraint among allies who are embarking on a highly questionable course.

Because of the ethical, economic and international stakes involved, the matter is rendered the more urgent by the recent statement of the Secretary of State for External Affairs that, "We have no choice." That is precisely the point. Is the cruise missile to symbolize our impotence, or will its rejection symbolize our readiness to break away from the paralysing pattern of an arms race which will finally breed death all around.

Other western nations are embarked in making choices about such missiles at this time. Why can we not make a choice? Why can we not decide? This House must say that we can choose and we can act according to our own best lights. It is urgent the public hear those words from us.

Mr. Speaker, I therefore ask that you entertain this motion and that we engage in a debate on this highly significant and urgent public question.

Mr. Nixon: Mr. Speaker, people with a narrow view of the responsibility of the members of the assembly might be quick to say that international treaties and matters of national defence do not come within the ambit of our responsibility.

I am sure, Mr. Speaker, you would agree that with the feelings expressed at many levels of our community, both in support of our full role in the North Atlantic Treaty Organization and diametrically opposed along the lines of the resolution put before us, the people expressing those views would not be prepared to accept this narrow definition of our legislative responsibility.

I align myself with those who feel we must broaden our responsibilities here and try to reflect, in our comments in a debate such as one that is called for this afternoon, try to reflect our views of our community and, more specifically, our own view of the morality of the armament situation that is a part of the realities of the

global village and, included in that, the responsibilities of taxpayers and citizens of Canada.

I personally hope the Speaker will rule that the motion is in order and that we can have an opportunity this afternoon for members on all sides to present their personal views in this important forum.

At a level of far less importance than that, I bring to the Speaker's attention that there is some indication the work on the last remaining bill of this session may not be completed today anyway, because of some needlessly careful application of some footling, obscure rule of procedure learned by those skilled at feather-bedding and working to rule. If that happens, then we may very well have some time which would otherwise not be put to useful application.

If that is the case, I would hope that the afternoon from now until six o'clock, could be spent in debating a matter which is certainly of public importance. Its urgency has got to be practically the same as it was back in 1944 when the first atom bomb was exploded in Alamogordo, New Mexico. It was something of tremendous urgency then and every day of our lives in the atomic age.

Speaking for my colleagues, we hope the Speaker will find the motion in order and that members on all sides will allow the motion to proceed so that we can express our views as individuals and as parties if we see fit, then proceed with Bill 127 this evening in the hope that we can come to some conclusion with that bill and the government will eventually withdraw it.

Hon. Mr. Wells: Mr. Speaker, I guess I am going to be portrayed in the role of one of those who would portray the very narrow view of the role of this assembly. I would submit that portraying the narrow role of this assembly is what really preserves the integrity of this assembly. The integrity of this assembly is to debate and to come to conclusions, without some of the protracted debate that we have had around here, about those things which the Constitution of Canada gives to this assembly as the Legislative Assembly of Ontario.

The thing that it does not give to us is the right to legislate in the area of the defence of Canada and it does not, in any way, suggest that we are part of any treaties, bilateral, multilateral, umbrella or whatever they may be, between the government of Canada and other nations concerning defence or military alignments.

I would submit there is a multitude—in fact,

there are millions—of things we can discuss that are within the purview of this assembly. This matter is very important, it touches the lives of all of us and is something, I am sure, we will all want to discuss with our federal member who can stand up in the proper Parliament and present our views, along with the views of his constituents. But I submit it is not really a resolution or a discussion that is within the purview of this assembly. Therefore, we would urge the Speaker to find this motion not in order.

Mr. Speaker: Notwithstanding the reservation which I expressed earlier, which really has to do with the form of the motion rather than the content, I do find that the motion is in order and I do find in favour of the motion. Therefore, I shall put the question to the House, shall the debate proceed?

3:50 p.m.

The House divided on whether the debate should proceed, which was negatived on the following vote:

Ayes

Allen, Boudria, Bradley, Breaugh, Breithaupt, Bryden, Cassidy, Charlton, Conway, Copps, Cunningham, Di Santo, Edighoffer, Epp, Foulds, Grande, Haggerty, Kerrio, Laughren, Lupusella, Mackenzie, Martel, McClellan, McGuigan, McKessock, Miller, G. I.;

Newman, Nixon, Philip, Rae, Reed, J. A., Reid, T. P., Renwick, Riddell, Ruprecht, Ruston, Sargent, Spensieri, Stokes, Swart, Sweeney, Van Horne, Wrye.

Nays

Andrewes, Ashe, Baetz, Barlow, Bennett, Brandt, Cousens, Cureatz, Davis, Dean, Drea, Eaton, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Havrot, Henderson, Hennessy, Johnson, J. M., Jones, Kells, Kennedy, Kerr, Kolyn, Lane, Leluk;

MacQuarrie, McCaffrey, McCague, McLean, McMurtry, McNeil, Miller, F. S., Mitchell, Norton, Piché, Pollock, Pope, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Stephenson, B. M., Sterling, Stevenson, K. R., Taylor, J. A., Treleaven, Villeneuve, Walker, Watson, Welch, Wells, Williams, Wiseman.

Ayes 43; nays 60.

Mr. Speaker: The member for Port Arthur has a point of order.

RESPONSE TO WRITTEN QUESTIONS

Mr. Foulds: I point out to you, Mr. Speaker, that the government House leader still has not filed an answer to question 535. It had been indicated the information would be available November 29, 1982. Who is riding in those cars anyway?

Mr. Speaker: I am sure he will act immediately to correct that oversight.

ORDERS OF THE DAY

House in committee of the whole.

MUNICIPALITY OF METROPOLITAN
TORONTO AMENDMENT ACT
(continued)

Resuming the adjourned consideration of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

On section 9:

The Deputy Chairman: We were not ready for the question last night at 10:30.

Mr. Sweeney: Mr. Chairman, section 9 touches so many other sections of the bill in its references to section 130j of the act and over in the explanations to section 130i. As you go back to each of them, they refer to section 130a and so on back to section 127 of the act.

The Deputy Chairman: That is the whole bill. I do not think I will go for that.

Mr. Sweeney: The point I was going to make is that this particular section has so many interconnections and so on that we could go back and debate the whole bill. It would be entirely possible to do so. However, in the interest of time and the patience of the minister, which has been sorely strained the last few days, I will limit myself somewhat more narrowly. The member for St. Catharines (Mr. Bradley) and, I am sure, the member for Oakwood (Mr. Grande) will want to expand much farther beyond that.

4 p.m.

Very specifically, clause 9(1)(e) refers to a fundamental principle we have to reflect on for just a short period of time. By the use of the word "separately," clearly what is set out here is the distinction between those teachers who are hired by a local board of education under the master agreement, the fairly broad body of teachers who would be hired under that master agreement, and those teachers who, in addition to the master agreement, are then hired under the additional local levy. It is my understanding

that is really the significance of this particular clause 9(1)(e).

There was considerable debate in the committee itself as to whether or not there should be a separate designation in this area. As far as an individual board was concerned, the total number of teachers in its employ was all that really mattered. The rebuttal by the minister was that what we were dealing with here was primarily a bookkeeping measure. In other words, there were certain teachers for budget purposes only, if I remember correctly, that had to be identified in one way and a smaller number of additional teachers for budget purposes only, that had to be identified in a separate manner.

I am sure the minister is well aware that we have challenged her contention that there should be these kinds of limitations. However, we seem to have come along in the legislation to the point where, under sections 6, 7 and 8, we are going to be limited in some way. Therefore, for purely bookkeeping purposes, there probably is a certain logic to the fact that this section should flow.

I want it to be very clear, however, that we do not accept the premise that is contained in the previous section and we have reflected that non-acceptance by our voting patterns, of which I think the minister is very much aware.

I also want to refer to the fact that over on the explanatory note with respect to this subsection there is a reference made back to section 130i, which clearly deals with the principle of variance. Again, the minister knows that I and others of my colleagues have spoken on this legislation to the fact that there should be some option for variance. However, once again, we have reached the point in the debate on this legislation where that is not now to be permitted.

We want to put it very clearly on the record that we believe there should be some option for variance. We should have a better sense of the diversity and the variety, even within the Metro area, despite the fact that the minister, either last night or last Thursday or Friday—I think it was last night—argued that there really is not that much diversity across Metro Toronto now. She said there were certain needs in Etobicoke, in North York and certain sections of the city of Toronto which were becoming more and more common. Agreed, there are certain kinds of issues that are common to all, but there are others which are not, and they have been brought up more often than I care to repeat at this time; so the principle is still there.

As I move on to subsection 9(2) and go back

to the legislation, to the act itself, as I read these sections, they are substantially the same as the present clauses 133(4)(a) and (b) with the exception of the addition, "less the amount of the increase," and from then on. Basically, what we are talking about here are the changes that have now been brought into the bill which refer back to the whole question of surpluses and deficits and which were not in the original act. The minister will be well aware of the points we made with respect to surpluses and deficits. We have tried to draw to her attention that there are internal contradictions in the legislation by allowing them to stay.

The minister has called upon the voting power of her colleagues to see to it that this premise and this principle are left in the legislation. We want to make this point to indicate to her we still do not agree with making the local boards responsible for those surpluses and deficits.

We can follow the minister's own logic of last night that increasingly there is this commonality across the entire Metro area. I have indicated I do not completely agree with that, but over and over again we have these internal contradictions, even using the minister's own logic. If she is correct that there is a commonality, that the various parts of Metro Toronto are becoming more and more alike rather than dissimilar, then that would seem to rule against the principle we are involved with here.

There is the rateable property that is defined in this section and which goes back to section 127. If we are trying to reach some commonality of rateable property and equity with respect to assessment and the tax which is raised from assessment, and if the minister is arguing there is a commonality of educational needs across the whole Metro area, I have to come back and say we are still at a loss to understand why we then want to apply the surpluses and deficits to particular boards.

All of those points have been brought up by the minister's statements or by other members of the cabinet at one time or another over the last few weeks in debating other aspects of, if not this legislation, then other points of view. Therefore, I want to make it clear to the minister we are no more willing today than we were previously to accept this principle. That is what we would be accepting if we supported this section of the legislation. I am sure the minister is going to say there is a necessary logic to having section 9 once we have passed sections 6, 7 and 8. I agree with that. But since we have

disagreed with sections 6, 7 and 8, we are also going to have to disagree with section 9 and not support it.

Mr. Nixon: That's news.

Mr. Sweeney: I do not think the minister is surprised at that. At least, let us be clear what the issue is. Let us be clear as to the position on which we are basing our decisions. Let the minister have no doubts whatsoever about whether we are trying to be ambiguous about our points. We would argue that is not the case.

I want to continue with one other point. That is the references in clauses 9(2)(a) and 9(2)(b) which refer to rateable property as defined in section 127. The minister, of course, will be well aware that rateable property includes residential property, farm property and also commercial property. The minister will not be surprised if I raise with her once again the—what can we call it? I am not even sure what the correct definition is. Is it a proposal, a recommendation, a rumour? Whatever we would call it, I am referring to pooled commercial assessment.

If commercial assessment is part of rateable property as defined under section 127 and if there is—again, I am not sure what term the minister uses any longer. I would be quite happy to have her define for me where that section is now.

Hon. Miss Stephenson: May I identify it for you?

Mr. Sweeney: Certainly. Go ahead.

Hon. Miss Stephenson: Mr. Chairman, I hope the honourable member recognizes that even at the present time there is pooled industrial, commercial and institutional assessment in Metropolitan Toronto.

Mr. Sweeney: I have no doubts about that.

Hon. Miss Stephenson: It sounded as though you did, not just today but yesterday.

Mr. Sweeney: I am talking about the whole principle. Given the fact we are talking about rateable property, I wonder to what extent that is going to be impacted. If the province-wide decision, recommendation or proposal goes through, to what extent will that have an impact on this legislation? That is one of the difficulties we face with legislation like this.

4:10 p.m.

We have raised others, for example, the 1.5 mills. If there is a frozen assessment base for 1983, what will the impact of that be over two or three years? What will be the impact of a

province-wide pooled commercial assessment? Surely it must have an impact on Metro Toronto. If it is going to impact on London, Windsor, Hamilton, Ottawa and my own community of Kitchener-Waterloo and Waterloo region, then it is going to have an impact here as well.

I want the minister to know we are conscious of that potential impact. We are conscious of consequences that we are not really sure of. That is another reason we want to indicate to her pretty clearly that we are not going to support this section of the bill.

With those brief remarks, Mr. Chairman, I think I have indicated our concerns. They are continuing concerns; there is nothing particularly new about them. They do very clearly bring to the minister's attention that our decision to oppose this section flows from other sections we have opposed.

Mr. Renwick: Mr. Chairman, this afternoon I could talk of shoes and ships and sealing wax, of cabbages and kings, and when the sea is boiling hot and whether pigs have wings.

The Deputy Chairman: It would have been off topic.

Mr. Renwick: However, I will limit my remarks specifically to the provisions of section 9 before us. I do so with some trepidation and a reasonable degree of diffidence because I have never understood the mathematical acrobatics of the financing of the educational system in the city of Toronto and in Metropolitan Toronto. That may well be the reason I adhere to the Robarts commission view that the Metropolitan Toronto School Board should be phased out over a period of time.

I particularly want to speak about section 9 of the bill because, in a strange way, this is a culmination of the sections we have dealt with over the past few days, particularly the preceding sections 6, 7 and 8, which are related to the motives I would like to impute to the minister for her introducing the bill and bringing it before the assembly.

Those motives are very clear. They are not unavowed but avowed motives of the minister. Therefore, under our rules I am quite entitled to impute them to her. They are, as I have said, very clear. She wished to attack the Toronto board and to destroy its capacity to provide the quality of education which is essential to the kind of riding I represent in the assembly. I represent the riding of Riverdale, which is an inner-city riding. It is a riding which has a diverse cultural background. I represent a—

The Deputy Chairman: I call the honourable

member to some form of order under section 19(d)(9) of our standing orders for imputing false or unavowed motives to another member.

Mr. Renwick: That is precisely my point. I was not imputing false or unavowed motives.

Hon. Miss Stephenson: Indeed, the member was; they certainly have not been avowed.

The Deputy Chairman: My concern is that the member, who is among the most honourable of all members, would not want to have that section imputed to what he is saying; so I would ask him to respect the chair's concern.

Mr. Renwick: Mr. Chairman, may I speak to the point of order?

The Deputy Chairman: Yes, please.

Mr. Renwick: My precise point is that one is prohibited by the rules from imputing false or unavowed motives to a minister or to any other member of the assembly. I was imputing avowed motives, not unavowed motives. The motives are very clear. One has only to read the speech of the minister on June 22, 1982, to the St. David Progressive Conservative Association at Rosedale public school. I am not going to read the whole of it; I would like to, but it has been referred to on many occasions. It was very clear that the purpose of the minister and what motivates the minister was that she found the Toronto board had the temerity to isolate itself in ways that were unacceptable to her from the collective arrangements of the—

The Deputy Chairman: The member for Riverdale has great ability with the English language, which the chair respects. The chair is most anxious that the member also have the same respect for that section on imputing motives, avowed or otherwise, to another member.

I would just say that you are walking on dangerous ground where the chair is wanting to challenge you. Would you move away from the motives because, unless you can actually prove them, it becomes a very dangerous area. If the honourable member would speak to the motion on the floor, which is section 9, the chair would be far happier.

Mr. Renwick: Mr. Chairman, only your words would suggest for a moment that I should change anything I have said. I certainly will. I will not impute any motives—

The Deputy Chairman: Thank you.

Mr. Renwick: —even avowed ones, which I am entitled to impute to the minister. I will not impute another motive to the minister.

She said on that occasion: "In plainer words,

however, what went wrong is that the Toronto Board of Education has been out of step with the rest of the boards of education in Metropolitan Toronto . . .

"I suspect that the reasons that the Toronto board is out of step with the area boards are varied and complex and perhaps more political than educational. I can only conclude that it is for political reasons that the board is opposed to common-sense change." It goes on in that tone.

This speech embedded in the attitude of the people in the area I represent their concern about the bill. It was this speech that triggered a very real concern for the people in Riverdale—parents, teachers and the school trustees representing the area. When I say the school trustees representing the area, I say three out of four of the school trustees representing the area I represent.

I want to say to the minister very clearly and very distinctly that it is this section of the bill that in a very real way is going to affect over a period of time the quality of the education that the children from the diverse cultural backgrounds in my riding are entitled to receive in the education system.

I happen to believe exactly the opinion the Toronto board has of itself. Whether one speaks of the past chairman of the board or whether one speaks of the director of education in Toronto, they both believe and are convinced that the moves they have made over the years with respect to educational policy have produced one of the finest boards of education, one of the most co-operative with the teachers and one of the most open and available to the parents that there is in Metropolitan Toronto, in southern Ontario or in Ontario, and that would bear comparison, as the Tories always tell us, with any jurisdiction anywhere in the free world.

I want the minister to understand that section 9 of this bill refers specifically, in the first amending clause, to the process by which the temerity of the Toronto board back in 1979 to have used the local levy for the purpose of hiring additional teachers to provide and maintain the quality of education and to reduce the pupil-teacher ratio to an acceptable level is now not going to be available over a period of time to the Toronto board, or to any other board, if it should find itself in that position.

4:20 p.m.

Mr. Chairman, you do not happen to be a member from the Metropolitan area, but I must say to Mr. John Tolton, the chairman of the

Metropolitan Toronto School Board, who sent me a letter dated February 11, I do not accept the tone of his letter. I do not believe for a single moment that the questions I am relating to section 9 of the bill will, over the course of the development of Metropolitan Toronto, be confined to Metropolitan Toronto in isolation. There are going to be very real problems perhaps in certain parts of the city of North York or in certain parts of the borough of Scarborough, the same problems that are going to require the kind of attention to the quality of education that the Toronto board has had to deal with.

In order to understand section 9 of the bill, I will ask the minister to correct me if I misunderstand the intricacies of the amendments proposed, or if I have difficulty in articulating for the minister the concerns I have.

A good part of the disinterest of this committee, which is also demonstrated by the limited numbers of members who are in the House for the debate and by the conversations which are going on among those members who happen to be in the House at this time, is because a reading of section 9 of Bill 127 shows that it is incomprehensible. Even if one tries to relate it to section 133 of the Municipality of Metropolitan Toronto Act, which is the section of that act being amended by the bill, one becomes even more concerned and confused as to what it means. I will ask the minister to correct me if I should go wrong.

The Deputy Chairman: You can.

Mr. Renwick: Subsection 9(1) of Bill 127 provides for an amendment to subsection 133(1) by adding a particular clause to that section, which is clause (e). In order to understand that, one has to refer to what subsection 133(1) has to say, which is:

"Each board of education in the Metropolitan area, instead of submitting to a municipal council its annual estimates as provided by law, shall prepare, adopt and submit each year to the school board, on or before such date and in such form as the school board may prescribe, its estimates for the current year, separately for public elementary and for secondary school purposes, of all sums required during the year for the purposes of the board of education, and such estimates, shall . . ."

It then itemizes (a), (b), (c) and (d) as matters which must be dealt with in those estimates which are sent forward to the Metropolitan school board. We are now going to be asked to add the following clause:

"(e) shall set forth separately the estimated expenditure in respect of the employment of teachers under section 130j . . ."

Section 130j was introduced and discussed in this assembly in committee of the whole House yesterday because it is in the preceding section, which is section 8 of the bill. It says, "in addition to the number of teachers that a board is entitled to employ under an agreement under section 130a."

Section 130a was the section of this very confused bill which we dealt with in this committee, I think yesterday. It is the one which deals with the question of joint bargaining in section 7 of the bill.

What we are being asked to do with respect to section 133 of the Municipality of Metropolitan Toronto Act in the first portion of this amendment is to give effect to the matters that we have dealt with under the two immediately preceding sections of the bill. I do not want the members to think for a moment that I am going to deal with joint bargaining or the question of the additional teacher function, both of which are dealt with in those immediately preceding sections. I want the House to understand what is happening here.

The very first step in understanding section 133 of the act is to understand that the first thing we are being asked to do is to require that the estimates which were to be put before the Metropolitan Toronto board, and I use this as an example, by the city of Toronto board and by each of the area municipality boards are not only required to set forth the whole of their estimates but also, in particular, they must set forth the estimated revenues and expenditures of the boards of education. They must make due allowance for a surplus of any previous year that will be available during the current year. They must provide for the deficit of any previous year, and they may provide for expenditures to be made out of current funds for permanent improvements.

Subsection 133(2) deals with that specific question of including estimates for expenditures for permanent improvements out of current funds etc. and the considerations that the Metro school board is to take into account.

We are being asked to add to that fundamental part of the process which is set out in the whole of section 133. In the initial stage we are being asked to add to that the particular reference to the estimated expenditure in respect of the employment of teachers under section 130j. In addition to the number of teachers the board

is entitled to employ under an agreement under section 130a, that provides the method by which the number of teachers to be employed by the board is determined.

The members will see how, in a sense, this particular section is a culmination of the preceding two sections and of the discussions that took place.

It is not a departmentalized bill simply dealing piecemeal with different amendments. There is a certain progression to this bill which is designed for the purpose of preventing, to a significant degree and probably over time—and only time may tell—the elimination of that kind of freedom which the Toronto board dared to assert in 1979 when it set itself apart from the other boards in the Metropolitan Toronto area.

Some may ask immediately: "In what way did the Toronto board set itself apart?"

I want the House to understand that the Toronto Board of Education is, if anything, ultrascrupulous about the legality and the adequacy of what it does. The Toronto board hardly breathes without taking a legal opinion as to whether it would be permissible. It usually gets a reinforcing legal opinion if it wants to sneeze in the course of its proceedings. It is that particular about what is required.

4:30 p.m.

I think it is fair to say that there has been floating about an implication that somehow or other the Toronto board had acted illegally or had acted politically in what it did in 1979. As I understand it, in some people's minds, acting politically is equivalent to acting illegally.

There is, in the existing Municipality of Metropolitan Toronto Act, subsection 133(5), the following provision which is called in the margin, "Local levy." It states: "The council of each area municipality shall levy and collect each year and transfer to the board of education for that area municipality from time to time as required, but not later than the 15th day of December, such sums as may be required by the board of education for its purposes during the year in accordance with its estimates submitted to the council under subsection 4."

It is not under subsection 1 but under subsection 4, the operative parts of subsection 133(4) that we are being asked to amend as we proceed through the balance of section 9.

What happened was that the Toronto board in 1979, which happened to coincide with the year in which it was negotiating on its own with the teachers under the collective bargaining process which was permitted to it at that time,

said to itself, "We are going to use the local levy which our municipal council, the city of Toronto municipal council, is required by statute to provide for us with respect to our educational needs." They made use of that. The minister and my colleague the member for Oakwood (Mr. Grande) and others can correct me if I do not understand it.

I do not know what the dollars are. The figure I hear, *comme ci, comme ça*, is \$6 million, which was spread out amongst the rateable people who are liable to local assessment in the city of Toronto so they could use that money to provide for the salaries of teachers who otherwise would have had to be discharged or would have been considered unnecessary in any Metropolitan Toronto view of the needs of the Toronto board. That is what they did. They provided for additional teachers through that local levy.

That was a significant and important step in the whole concept of the quality of education necessary in a culturally mixed society in the inner city of Toronto, with all the other problems, economic, social and otherwise, that are inherent in the inner part of any city.

That was due to the concern of the Toronto board to protect the inner city, its concern to make certain that what goes on in the inner city will be a credit to Toronto and to Metropolitan Toronto and its concern that it will remain a city of people and not simply be a place to which people come in the morning and leave at night. I say that of the city council generally in Toronto in its noneducational sense.

With my colleagues the member for Rainy River (Mr. T. P. Reid) and the member for Kitchener (Mr. Breithaupt) I was in Hartford, Connecticut, which is the insurance centre of North America. I wish to explain clearly to the members that more than 50 per cent of the population of Hartford is dependent on the receipt of public and social assistance. Why is that? It is because all the people who run the insurance business in that centre in the United States leave the city every night, or else they live in their own enclaves on the company property, totally divorced and separated from the city. If anybody disbelieves me, he should go down there and he will understand the kind of thing that can happen when the centre of a city deteriorates.

I can assure the members that one of the essential elements in protecting the inner city is the quality of education. I can think of nobody better able to determine the quality of educa-

tion than a tripartite arrangement among the teachers who teach in the schools in the city of Toronto, the trustees who are elected to the board of education by the people in Toronto and the parents of the children who attend those schools. That is a complex that produces quality education and that is what we in the city of Toronto who represent in this assembly the inner-city ridings are most anxious to protect.

We are coming back to what the Toronto board did with the local levy. It was perfectly legal, but it happened not to be one of the matters that was touchable by the Metropolitan Toronto board. Perhaps for those members of the assembly who have been listening to my attempt to elaborate on what we are being asked in section 9 of the bill, the first thing we are being asked is to bring it within the purview of the Metro board. The process by which that is being done is very complicated. The first provision in subsection 9(1) of the bill is to require us to bring in the provision we passed yesterday evening after closure was moved by the government and the provision we passed yesterday afternoon after closure was moved by the government. To finish that portion of my argument, I want to repeat what we are being asked to include.

When the city of Toronto board submits its estimates to the Metropolitan Toronto board for the moneys required for the public, elementary and secondary school systems in Toronto, we are required in those estimates to set forth clauses (a), (b), (c) and (d) that now appear in the Municipality of Metropolitan Toronto Act in subsection 133(1). In addition, under new clause (e), we will now have to set forth separately the estimated expenditure with respect to the employment of teachers under section 130j, which is section 8 and which we passed under closure yesterday, in addition to the number of teachers the board is entitled to employ under an agreement under section 130a, which is part of section 7 and which we passed under closure yesterday afternoon. It provides the method by which the number of teachers to be employed by the board is to be determined.

So we have come full circle. They are going to be able to negotiate the number of teachers with the Metro board on a joint basis, as well as the dollar salaries. Those are the two things they are going to be allowed to negotiate jointly. That is what the bill says in the sections we have passed. We are supposed to be able to say: "You will be able to decide the number of teachers. You will have a real say in that. Toronto, if you need

more teachers for your purposes, you will be able to negotiate it in the joint sessions." I do not come from Missouri, but I come from east of the Don River and I do not buy it. I see my friend the Chairman, who is also from east of the Don River, does not buy it either.

That is the very clear problem we are presented with in this section of the bill. We have the first step in this complicated process that is to go on. We are not altering subsection 133(3) as set out in the act, and which says, "In considering such estimates, the school board shall endeavour to provide for all boards of education in the metropolitan area, having regard to their varying needs, the funds necessary for an educational program throughout the metropolitan area."

4:40 p.m.

We are not called upon to touch subsection 133(3), but a great deal has been said that somehow or other the legal, proper and appropriate action taken by the Toronto Board of Education with respect to the local levy destroyed that section. That section will remain, as will that obligation, which will remain clearly and distinctly as an obligation of the Metropolitan Toronto School Board. It has been quite adequate over the years to have provided the kind of commonality of interest in the Metropolitan Toronto area coupled with the kind of diversity of adaptational response of the area municipality boards of education that has allowed the city of Toronto to produce a board of education second to none.

I am not in any sense comparing these boards with the boards in the other area municipalities. They are undoubtedly good boards and see their needs and responsibilities over a period of time. I am not setting up any invidious comparison. I am trying to respond to the invidious comparison which the Minister of Education injected into this debate at the point in time when, if she had had the courage and capacity to conciliate, the problem would not have existed. That is the problem and that is what is at the root of the difficulty in this assembly at this point in time, and it is shared not just on these benches but on the government benches as well.

It is very interesting; I used a House of Commons term. I was reading an article the other night that the influence of the American system on Upper Canada was sufficient that the desks, the pages and the Speaker's cocked hat are elements of our parliamentary process to which we are indebted to the United States of

America as adaptations of our system. That, sir, is only by way of an aside.

I believe I have placed subsection 9(1) in the proposed amendment to subsection 133(1) of the Municipality of Metropolitan Toronto Act in the context which I accept as being an appropriate context in which to consider what the minister is potentially doing to the educational system in the city of Toronto. I do not have the command of the educational figures the minister has, because I can only refer to her quotation in the notes for her speech on the evening of June 22 before the St. David Progressive Conservative Association at Rosedale Public School.

"A board may employ additional teachers beyond the number determined by the jointly negotiated staff allocation formula. The cost attributable to their employment, however, will not exceed the amount that can be realized from the discretionary one-mill local levy provided for in Bill 127." If I am correct, that has been changed to 1.5 mills in the bill at present.

I want to bow to the minister because of her sense of numbers and the accuracy of the figures she uses.

"In Toronto's case this could amount to about \$6.5 million, an amount which certainly would cover the salaries of 40 or 50, 100 or 200 teachers."

One can see how finely she has perceived the problem; we are not quite certain whether it is 40 or 50 teachers or 100 or 200 teachers that somehow or other will be available from the minister.

Hon. Miss Stephenson: It depends upon their level of remuneration.

Mr. Renwick: I can understand that. It would have been helpful to the audience that night and to the people in the area if there had been a little bit more explanation of just what the minister was talking about in respect of those references.

We move on now to subsection 9(2). In the process that section 133 of the Municipality of Metropolitan Toronto Act outlines, I want to try to give the minister at least my impression of what its effect is on section 133. I have dealt with subsection 133(1) and the amendment in subsection 9(1) of the bill. I have referred briefly to subsection 133(2), which is not affected by the amendment. I have referred to subsection 133(3), which is an important basic element of the sense in which members from the city of Toronto share the common concern that there be a certain commonality about the education program throughout the Metropolitan Toronto

area. I now move on to the areas of subsection 133(4) that we are being asked to amend.

The amendment can be explained in the assembly, I believe, only if we look at the opening words of subsection 133(4), which are not reproduced in the bill, so we can understand them. We are being asked to change clauses (a) and (b), which are simply clauses of the whole of the sentence that is contained in subsection 133(4). I must read the opening paragraph so we can get the context in which the amendments are going to effect the change the minister proposes.

Subsection 133(4) states: "If the estimates of a board of education are not approved in whole by the school board, the board of education"—that is the—

Hon. Miss Stephenson: It is the area board of education.

Mr. Renwick: Let me start over again. I am going to have to interpolate so it will be understandable.

"If the estimates of a board of education are not approved in whole by the school board"—that is the metropolitan board—"the board of education"—using my example, that is the Toronto area municipality board—"may submit to the council of the area municipality in which it has jurisdiction, within 20 days after notice is given under subsection 2"—and there is a notice provision under subsection 2—"its estimates made up as provided for in subsection 1"—and I dealt with subsection 1 and the change we are being asked to incorporate in subsection 1—"except that such estimates shall include and make due allowance for the revenues to be derived from the school board"—that is the metropolitan board—"pursuant to the estimates approved by the school board"—the metropolitan board—"provided that, before submitting such estimates to the council, the board of education"—that is the Toronto board—"shall revise the estimates, if necessary, so that the difference between"—and then we come to (a) and (b), which exist in a certain form in section 133 of the Municipality of Metropolitan Toronto Act. At present we are being asked to amend them by subsection 9(2).

I think it is important that the committee understand what the amendment says, because that is the guts of the change we are talking about. That is why in a funny way this is a culmination section in the bill that we have to deal with, because in the step-by-step amendments we have gone through we reach this particular summit. There may be other summits

and there may be other effects, but this is one very precise summit we are going to reach.

As it stands, and I am only going to use (a) and (b) because members will notice that (a) and (b) both appear in section 133 of the Municipality of Metropolitan Toronto Act and in subsection 9(2) of the bill, (a) refers to the elementary school system and (b) refers to the secondary school system. Otherwise, as I understand it, they are identical. So what I have to say about (a) will refer to what is referred to in (b).

Subsection 133(4) says: "provided that, before submitting such estimates to the council, the board of education"—the Toronto board—"shall revise the estimates, if necessary, so that the difference between"—this is what the Toronto Board of Education has to do—" (a) the aggregate estimates of all sums required for public elementary school purposes and the aggregate of the revenues for such purposes to be derived from the school board"—the metropolitan board—"pursuant to the estimates approved by the school board shall not exceed a sum calculated at one and one-half mills in the dollar upon the total assessment in the area municipality for public school purposes according to the last revised assessment roll."

4:50 p.m.

That may sound like a lot of gobbledegook, but those who had to make the calculation understood what they had to do with that section.

It is my understanding we are being asked to re-enact that whole provision, which is clause 133(4)(a) of the Municipality of Metropolitan Toronto Act, not with the identical words, but for practical purposes the same words, down to a certain point. Then we come to the hooker in the game.

From that aggregate under the proposed amendment, the Toronto board has to deduct a certain figure, which up to now it did not have to do. What is the figure? Less the amount of the increase, if any, in the amount of the apportionment to the area municipality for public elementary school purposes under subsection 127(6) of the Municipality of Metropolitan Toronto Act.

Subsection 127(6) is one of the sections we passed in committee after closure by the government a little while ago. It sets out the calculation of this apportionment. It sets out the mathematics that are to be done to find out the number of dollars that will now have to be deducted by the Toronto board in forwarding to the municipal council of the city of Toronto the

number of dollars that council is going to be required to levy. So it is a reduced amount.

I do not pretend to understand what its immediate effect will be. Last night, as I understand it, we put a cap on the amount for the future that can be available for additional teachers. I understand what this now says is that we are going to tell the Toronto Board of Education that when they make up the revision to their estimate that they are now required to make, and deduct from it the amount this new provision will require them to deduct, that means in simple terms they will have to take into account the amount available to be raised by local levy and the deficit they may be running with respect to the apportionment. That is subsection 127(6) which I referred to a moment ago, and which was part of the antecedent amendments now passed by closure; that is the effect it will have.

So what is the position of the Toronto board? Inherent in the attack by the minister on the Toronto Board of Education was the imputation very clearly that it was running a deficit at the expense of the other boards, which is another way of saying it had its hands in the pockets of the other school boards in order that it could have the local levy and could spend it for additional teachers to maintain the quality of education in the schools in the city of Toronto. That is a particular concern to me and to a number of my colleagues who represent the bottom stratum of seats of the city of Toronto represented here. The quality of education is what this is all about.

In a funny way, the game is too cute for words. It could only be the net result of a bureaucracy determined to confuse the people in the city as to what this is about. If I am wrong, I will be the first to apologize, but if we pass this bill, as I understand it, the amount of the local levy will be reduced in the first instance by the amount of any deficit and then whatever amount remains will be available for the Toronto board to use as it may see fit.

In the subsections of section 127, to which I made some reference a few minutes ago, members will remember there is a reference in section 9 to the amount that the Toronto Board of Education will have to deduct in making the revisions of its estimates for submissions to its own council about this local levy. The reference is to subsection 127(6). It is very interesting that subsections 127(4) and (5), which again we passed under closure by the government, are

part and parcel of how one works out the calculation under subsection 6.

If members will look at subsection 127(5), which is part of section 6 of the bill, "and in determining the amount of the increase in the apportionment the school board"—that is the Metro board—"shall give consideration to any circumstances that, in the opinion of the school board"—again the Metro board—"contributed to the size of the deficit and could not reasonably have been foreseen."

I did not hear everything that my friend the member for Kitchener-Wilmot (Mr. Sweeney) had to say on the bill, but I did catch something about yearly bookkeeping. This is not yearly bookkeeping. There is a lot of sleight-of-hand in here. There is a lot of cooking of the books in here. The net effect of it is going to be to remove the discretionary capacity financially of the Toronto Board of Education to get the local levy moneys, which will give it the capacity and flexibility to deal with the quality of education in the city.

Mr. Philip: Or any other board for that matter.

Mr. Renwick: Yes, any board. I made that point earlier in my remarks. I am not making any invidious comparison with any other board. I do not impute the kind of things to each individual area board that the chairman of the Metropolitan Toronto School Board had the temerity to put in a letter, which I assume my colleagues read, of February 11. That is what is happening here.

Do members know the answers we were given? They can negotiate the number of teachers and, therefore, they will be able to work that out. That will not be any problem, because they can do it altogether at the Metro level. Of course, if there are any specific local things, you remember, Mr. Chairman, under the joint bargaining arrangements that are going to be enforced by this government by closure on this assembly it is careful to say that the only things that are going to be subject to joint bargaining—

5 p.m.

Mr. Sweeney: Mr. Chairman, on a point of order: I was going to wait until Mr. Renwick had finished his remarks, but there seems to be some delay there.

I would draw to his attention that he is correct in what he said, he had not been listening to my remarks, because I clearly stated, and Hansard will show it, that it was not simply a matter of bookkeeping. I was referring, rather, to a com-

ment made by the minister at the committee stage when we debated the whole principle behind this. Let the record clearly show that.

Mr. Renwick: I accept what my colleague the member for Kitchener-Wilmot has said. I did not believe for a moment that he was using it in the disparaging sense in which I had used it at all. I accept what he says and I bow to him on his knowledge of educational financial arrangements, which are something beyond the ken of we mortals in this assembly.

But what is the answer of the government under closure to our concerns about this? Under joint bargaining the only things that can be jointly bargained are the terms and conditions of employment referred to in subsections 1 and 2. The limitations on the jurisdiction of the joint bargaining are salaries and financial benefits of teachers and the method by which the number of teachers to be employed by a board is determined.

Do members see what the catch is? We went through this in Bill 179. You can bargain for the number of teachers, but you will not have the capacity to go to your local council and get the moneys that will permit you to do what you need to do in order to maintain the quality of education because of the essential necessity of adaptation in a large municipality such as Metropolitan Toronto to the specific needs.

We are told, "But those other matters can be negotiated separately." It is again the appalling ignorance of a former Minister of Labour of the government and the present Minister of Education; it is the appalling ignorance of the government of the province. They do not understand the collective bargaining process. If they take out of school negotiations the financial benefits and the number of teachers and put those up to joint negotiations, they have absolutely no method of achieving negotiation on what is in anybody's terms the great bulk of the other terms and conditions of employment and all the arrangements that in a complex system ensure the outcome of the collective bargaining process.

The government tried to sell us that on Bill 179. I am not going to go back to Bill 179; it makes me absolutely angry. What happened to the government on Bill 179 is something that I trust they will rue some day. They may not accept it. But they said, "We are going to fix the salaries of everybody in the public service of the province, regardless of what their contracts say, but they can bargain about everything else."

The word "collective" in the term "collective

bargaining" is not a simple word. It means a complex thing. It is not like some Latin phrase that is accurate in its description. It does not just mean people getting together. It means a collective bargaining. It means a collective bargaining about all of the issues as well as on behalf of all the people. All the issues, and you put them on the table. The government members know as well as I do that if you go to the Ontario Labour Relations Board and try to put a little bit on the table, it will want it all up front in negotiations.

They will not say: "These are the things that are going to be negotiated. These are the things that we on this side of the table want to negotiate. These are the things on the other side of the table." We may not have the resolution of them, but we cannot wander around and make it a piecemeal operation. I referred, on second reading of this bill, with great temerity to the question of the fragmenting of the collective bargaining process—a different kind of fragmenting, but one which will make it totally impossible.

I do not really know that I have a great deal more to say on the section. Section 133 of the Municipality of Metropolitan Toronto Act provides a process by which the Metro board gets the estimates, deals with the estimates and acts upon the estimates of the various boards in the complicated formulae which are involved and we are being asked to amend it in order to make certain that what the Toronto board did in 1979 cannot be done again.

We are being asked to accept this on something called equity, or that the city has had its hands in the pockets of the other school boards and was doing something at their expense, when everybody well knows that the number of dollars which the city of Toronto, in its assessment, puts into the Metropolitan Toronto pool from taxes, far outweighs the number of dollars we are talking about.

When one looks at it from the other side of the coin and says that if the Toronto Board, through the local levy, wishes to deal with additional dollars and if the municipal council, in performing its mandatory obligation to provide those additional dollars—if the effect of that is to increase the mill rate in Toronto, then what happens? Every politician knows the levy on property tax in Ontario determines the—if I could use the dreadful term—bottom line of political survival.

That is what it means in municipal terms and it is an immense process. Politicians, whether at the school board, or at the municipal board, or

in the interchanges which take place at the city level, decide whether or not those things can be done. Once the demand is made, I agree, the statute is obligatory.

I have tried desperately—and I am glad the Chairman is back in the chair—to avoid imputing motives, particularly avowed motives, to the minister, even though that is permissible under the rules and even though the Chairman has quite rightly drawn to my attention that the line between unavowed and avowed motives is sometimes difficult to draw. I appreciate that, because I was perhaps getting a little bit carried away.

This section is the culmination of what we have been doing, is one of the summits of the bill and is part of the retribution that this minister is wreaking upon the city of Toronto, in so far as the board of education is concerned with respect to its quality of education, and I will have none of it.

Hon. Miss Stephenson: Mr. Chairman, I wonder if I could respond to some of the concerns that were raised by the member for Riverdale.

Indeed, it is absolutely essential that this section be there because in the current circumstance, as he so rightly spelled out very clearly, when a board submits its estimates to the Metropolitan Toronto School Board, the school board jointly—because all of the members belong to this kind of activity—looks at those estimates and approves either in whole or in part. If it is, indeed, in part, then the local board has the responsibility to provide a further estimate to its local council for the use of the discretionary levy.

All that has happened in this bill is that under the bill, local boards, who have developed deficits which have been foreseen and for which they will therefore be responsible, will have to deduct those deficits from that local levy before they utilize that 1.5 discretionary levy at the elementary level for the purpose of hiring teachers. It seems to me that is a fairly responsible and accountable way in which to deal.

The honourable members have forgotten, of course, that all of the boards together have developed guidelines, which they have all agreed to, including the Toronto board, related to the way in which they will determine whether a deficit could or could not have been foreseen. That activity has been completed and approved by my honourable colleagues on the York borough board. They have felt some concern for a period of time about that deficit-surplus provision and this section simply ensures that

actions to be taken under this bill will be reported honestly and in an accountable fashion.

5:10 p.m.

Mr. Ruprecht: On a point of order, Mr. Chairman: This is the fourth time I have risen to make my comments on these sections and every time I rise the minister moves the motion. Now in this section—

The Deputy Chairman: That is not a point of order.

Mr. Ruprecht: I wanted to put this on the record. We are down to two speakers per section now and the minister is going to call the motion in a minute. I know what she is going to do.

The Deputy Chairman: I cannot believe it. That is not a point of order.

Mr. Ruprecht: I can tell, because I am trying to raise the point here—

The Deputy Chairman: I do not accept it.

Hon. Miss Stephenson: Mr. Chairman—

The Deputy Chairman: I have another point of order from the member for Oakwood. Is this a point of order?

Mr. Grande: It is a point of order in terms of your overruling this debate. If the Minister of Education has the document from the Metropolitan Toronto School Board about guidelines, would the minister table it so this debate can be more orderly? As of now, I have not seen such a document.

The Deputy Chairman: That is not a point of order, but it is a legitimate point of debate.

Hon. Miss Stephenson: It is a request I shall transmit to the Metropolitan Toronto School Board or to any one of the component boards with access to the guidelines established. I shall be delighted, when I receive them, to provide them to the honourable member, as I have always done in the past.

Section 9 is necessary to complete the action that has been taken under other provisions of the act. We have heard the concerns expressed by the member for Kitchener-Wilmot and the member for Riverdale and I would not want to disappoint the member for Parkdale; therefore, Mr. Chairman, I shall at this point under section 36 move that the question be now put.

The Deputy Chairman: Hon. Miss Stephenson moves under section 36 that the question be now put.

Mr. Renwick: Mr. Chairman, I do not know how you think you can conduct the business of

this House. I do not want to be forced to move that you leave the chair, which is a motion under the rules. I want you to understand that you have to exercise a discretion about this particular motion and I wish you to exercise that discretion in accordance with the rules.

5:35 p.m.

The committee divided on Hon. Miss Stephenson's motion that the question be now put, which was agreed to on the following vote:

Ayes 57; nays 43.

The committee divided on Hon. Miss Stephenson's motion that section 9 should stand as part of the bill, which was agreed to on the same vote.

On section 10:

The Deputy Chairman: I recognize the member for St. Catharines.

Mr. Ruprecht: I tried four times to speak on Bill 127.

Mr. Bradley: Mr. Chairman, he tried four times. I want to point out in beginning my remarks on section 10, a very important section of the bill, that the member for Parkdale has tried on four occasions to be heard on various sections of the bill and the minister each time has cut him off with a closure motion.

She is obviously afraid of what he is going to say, afraid his searing arguments will bring down the government, but that is not why I am here this afternoon. I am here to speak to the bill.

Mr. Chairman, do you want to get order? I will wait until you get order.

The Deputy Chairman: Order. The member for St. Catharines has the floor.

Mr. Bradley: Mr. Chairman, when one looks at section 10, it does not appear at the beginning to be an important part of the bill, but it most certainly is an important part of Bill 127 because it deals with the amounts levied by the Metropolitan Toronto council for public school and secondary school purposes. The subsections are re-enacted to relate to the amendments of section 127 of the act. What we are objecting to is that this could possibly be tied in with section 127 of this act.

5:40 p.m.

Once again, we get down to dollars and cents in section 10, as has been the case with a number of other sections of this piece of legislation. Those of us in the opposition who have had the opportunity to speak have expressed disapproval. I know if the member for Parkdale had

not been blocked by the minister in his last three or four attempts to make a significant contribution to this portion of the debate, he would have joined us in objecting to the provision in section 127 that the levy must be tied in with section 10. We are in a situation in this bill where we do not have two or more mills in a discretionary levy to tie in with this section.

He would be concerned that the provisions of section 10 will mean cutbacks—I think they are inevitable—in services provided by various boards of education in Metropolitan Toronto because the Metro board will have its powers increased at the expense of the local boards of education which, as has been pointed out on many occasions in the House, have the most direct contact with the people.

Those who sat in the standing committee on general government would recognize that those who came to the committee with experiences involving the local boards, as opposed to the Metropolitan Toronto School Board, time and again indicated the accessibility of the local boards of education. Many used the Toronto Board of Education as an example.

Many found it difficult to make appointments with the Metro board, and when they were able to be heard by them, they did not feel the welcome was nearly as warm as that received from their local board. Of course, the local board of education is elected directly by the people within that municipality, whereas the Metropolitan board is not.

Those familiar with the operation of the municipal form of government in boards of education, or in terms of municipal governments themselves in area municipalities as opposed to regional municipalities, are aware that there is great concern that there is far less accessibility at that level.

Hon. Miss Stephenson: This has nothing to do with it.

Mr. Nixon: I warned you about this. Do not allow yourself to be carried away.

Interjections.

Mr. Bradley: Before he leaves the House, I notice that I seem to have excited the Minister of Hiding Information.

Hon. Mr. Sterling: Are you going to call him to order?

Mr. Bradley: Of all people in this House, I know he, as the minister responsible for freedom of information, would want to stay in his seat to listen to the lucid arguments that will be made by the critic for the Ontario Liberal Party,

as well as many others within our caucus who want to make a contribution.

Hon. Mr. Sterling: If the member made any sense, I would stay.

Mr. Bradley: And our friends in the New Democratic Party once again will want to put on record their objection to this portion of the bill as well as to others.

Because this section relates to the implementation of Bill 127 in its whole, it is necessary to recall some of the arguments that have been made in earlier sections. I know the chairman will be interested. He did not have the opportunity to hear all the arguments that could have been made in the last section because we were limited to approximately an hour and a half on that extremely important section of this piece of legislation.

Subsection 10(3) says: "The amount levied under subsection 1 for public school purposes shall be apportioned among the area municipalities in the amounts determined by the school board under section 127." That is what we object to in this legislation. Subsection 4 states: "The amount levied under subsection 1 for secondary school purposes shall be apportioned among the area municipalities in the amounts determined by the school board under section 127."

As I have indicated, our great concern is that the minister has not accepted an earlier amendment. I thought it an extremely reasonable amendment that many on the government side would no doubt agree with me was reasonable. I think the member for St. George (Ms. Fish) would certainly have been in the forefront of those who would agree with that amendment—

Mr. Conway: Who?

Mr. Bradley: The member for St. George.

Mr. Conway: The member for St. George, who is now fleeing the chamber.

Mr. Bradley: The member for St. George, who, when she appeared on Metro Morning with the member for Renfrew North (Mr. Conway), indicated that there should be several amendments to this bill before she would be satisfied with it. I think some of the amendments she was talking about are the amendments that have been placed by the opposition.

Hon. Miss Stephenson: No. They were those I have already put.

Mr. Nixon: This time next month she may be the minister.

Mr. Bradley: Certainly, I would be very surprised—

The Deputy Chairman: The honourable member is slipping away from section 10.

Mr. Bradley: I might well be.

The Deputy Chairman: Then I will bring you back to section 10.

Mr. Bradley: I will try to get back to it—

The Deputy Chairman: Quickly.

Mr. Bradley: —by saying that I think the member for St. George could not be bought off by the kind of minor amendments that have been brought in by the minister.

The Deputy Chairman: Speaking to section 10.

Mr. Bradley: That is why in section 10 I am sure she could not agree with those provisions.

Let us look for a moment at what will happen—

Mr. Conway: What the Tory back-benchers have told us in confidence—

The Deputy Chairman: Order.

Mr. Bradley: I am being interrupted by my own member—

The Deputy Chairman: Don't be led aside by the member for Renfrew North.

Mr. Bradley: —but it is a very legitimate interruption. The man who might be the Minister of Education some day, were he to have his will, the Minister of Agriculture and Food (Mr. Timbrell), heir apparent to the throne on the other side, as a person who was directly affected by education in his previous days, would no doubt agree with many of the arguments—not all the arguments, but many of the arguments—that are put forward on this side on this bill.

Let us look at some of the ramifications of the implementation of section 10 for education in this province and specifically in Metropolitan Toronto. Those ramifications are without question of the greatest consequence.

Interjections.

The Deputy Chairman: Speak to section 10. The member for St. Catharines is exhausting the patience of the chair.

Mr. Bradley: I would agree. I want to get back. It is just that the interjections from the member for Don Mills (Mr. Timbrell) are disturbing me.

The Deputy Chairman: I am just saying that the honourable member has been warned twice and will not be warned again.

Mr. Bradley: Anyway, to go back to the provisions of the bill itself and some of the things we see disappearing, I think one of the best pieces that speaks to this, one of the very best articles I have seen written on this bill, which speaks specifically to this section and what would happen if it were implemented, is that by David Lewis Stein, which appeared in the *Sunday Star*, February 20, 1983, entitled "Bill 127 Is Bad for Everybody." Let us look at that and why this section of the bill would be bad for everybody. He says:

"Wherever you happen to live in Metropolitan Toronto, you are threatened if the Tory government passes Bill 127 this week. Technically, what Bill 127 does is take power away from local school boards and give it to the Metro school board. Education Minister Bette Stephenson introduced the bill at the urging of suburban school trustees who happen to be card-carrying Tories and who also happen to control the Metro board.

"Stephenson herself, although she has been noisy and pugnacious, and I think downright devious in promoting this bill, gains nothing for her government from it. She is just doing a favour for some political cronies.

"Bill 127 says that all teachers in Metro have to bargain on a Metro-wide basis. This will affect salaries and the number of teachers to be employed. Over the years, the teachers and the boards have got into the habit of voluntarily negotiating together because it obviously makes sense to do so. But whenever there was a major local problem, a local board could withdraw from joint bargaining. With Bill 127, they will no longer enjoy that option.

"The teachers' unions have been screaming that Bill 127 will cause grievous harm to them, but if union members were the only people affected, then Bill 127 wouldn't be worth getting excited about. Bill 127 will affect the quality of education, the closing of schools and, I think, even the value of property.

"Stephenson argues that joint bargaining concerns only salaries and the number of teachers to be employed in Metro. Once a local board has received its allotment of teachers it can 'spend' this allotment any way it chooses. If, for instance, it wants to have more special education teachers and fewer gym teachers, it is free to do so. This is supposed to preserve local autonomy.

"It won't. The principle of parliamentary democracy is that parliament is supreme because

parliament controls the flow of money. The team of trustees doing the Metro-wide bargaining will be supreme here because it will control the flow of money to the teachers. That means local boards will be limited in the number of special classes for kids who need special help, no matter what Stephenson says.

5:50 p.m.

"Even if you don't have children in the schools now, you will be affected by Bill 127. With the size of staffs being dictated by Metro-wide negotiations, local boards will find it tougher to keep schools open when enrolment starts to drop.

"In the suburbs, a community used to be defined as the area served by a public school. Concern about their children drew people together and formed the bonds that turned subdivisions into communities. When a school is closed, a community loses its core. A home derives part of its value from being in a 'good community.' When neighbours turn into strangers, a community grows less attractive and a home loses some of its value.

"Stephenson claims that the Toronto board, which just happens to be dominated by NDP trustees", — we will not hold that against them — "has been wasting money and Bill 127 will put a stop to it, but she is really indulging in some sleight-of-hand bookkeeping.

"Toronto actually puts far more into the pool of money the Metro board doles out for education than the city draws out. That's because Toronto contributes to the Metro pool on the basis of how much assessment the city has, but it gets money back through a formula based primarily on the number of students enrolled in the schools.

"In 1981, for instance, Toronto contributed 39 per cent of Metro's total school budget and drew out 32 per cent. Put another way, the property owners of Metro contributed \$296 million to education and the children of Toronto got back only \$245 million.

"Stephenson claimed earlier in the year that despite falling enrolment, 'the Toronto board opened five new elementary schools and 16 high schools.'

"What the Toronto board really did was take space it no longer needed in existing schools and used it for 'alternative schools,' employing teachers it already had on its payroll. The alternative schools offered parents a variety of choices in education. (I confess to a personal bias here. My two children go to alternative schools and I

believe they are receiving an excellent education.)

"The Toronto alternative schools are threatened by Bill 127. I do not see how it is going to help people in Scarborough and Etobicoke if the schools my kids love are forced to close down. Instead of sneering at Toronto's alternative schools, Stephenson, if she were a conscientious education minister, would be trying to promote similar schools in other places.

"The debate on Bill 127 will continue this week. If you feel, as I do, that Bill 127 is bad, then let your local MPP know about it."

That was by David Lewis Stein in the February 20, 1983, edition of the *Toronto Star*. I have read a lot of different pieces on both sides of this issue and I thought that one probably captured as well as any, the essence of the opposition to Bill 127 and why section 10 of this bill would be extremely damaging, as it takes into account the entire passage of Bill 127.

He talks about some of the things that would disappear as a result of section 10. Those parents who come here from other countries, many of whom settle in Metropolitan Toronto and have children involved in English as a second language classes, are very concerned that money could be taken away from that program as a result of a general shortage of money because of the parsimony of the Metropolitan Toronto School Board. They know that if it were left up to the local school board, that board would better reflect the needs of that community.

If the needs of that community were such that the priority would be to cut back on spending, to cut out programs, then that would be a decision of that local board. On the other hand, if that local board of education felt it were necessary to increase the allotment of funds for various programs in education, that could be done and those people would have to answer to the electorate come the municipal elections, in this case, the second Monday in November, 1985.

There are parents now who recognize that many of the jobs in government, even in this provincial government, require or find desirable those individuals who have at least two languages, oftentimes those languages being French and English. In other words, despite the fact that the Premier of this province could say in the Carleton by-election that he is against the institution of bilingualism, that the opposition parties want to implement, we all know that through the backdoor this government implements bilingual policies.

The Chairman is not part of the government as he sits in this chair, but an impartial observer, so he would know that this government then goes into Cochrane North and other ridings with a large francophone population and extols the virtues of the French language services that are provided.

These people are saying, "Yes, 'Tom Wells'" —if I can use that in quotation marks, because I know we are supposed to use the member for Scarborough North, as he is in this case, and also the former Minister of Education—"we enjoyed very much your speeches about providing French language services. We enjoyed those speeches which talked about the virtues of bilingualism in this province, as implemented through our education system. Now we are saying let us see the funds for that."

Let us ensure that there will be funds for those people who want their children to be involved in French immersion programs or to have a good deal of French available to their students so that they can communicate with the approximately one third of the people in this country whose mother tongue is French, so they can go to a province where in many communities, even in our smaller communities—some of our northern members would know this—particularly in the north and in the eastern part of this province, much of the government business of this province is conducted in the French language. To be able to do this, they want their children to have the opportunity to learn the French language and, therefore, they want sufficient funds for that.

They also want to know that when special education is introduced in a very big way into our school system—and we have had it for a number of years in a smaller way than is contemplated under the legislation of Bill 82—in full force, there will be sufficient funds for that kind of education.

The member for Lincoln (Mr. Andrewes) would certainly agree, his good wife being a teacher and having attended what is now known as the College of Education at Brock University, along with me at one time. I must say she was a very good student and has turned out to be a very good teacher. She would understand the importance of providing that funding under Bill 82. That funding would not necessarily be available unless the local boards of education were prepared to understand the problems that are met in the local area and take the necessary action that involves the expenditure of funds to rectify those problems.

Certainly, the Metropolitan Toronto School Board would include trustees who would be concerned about that. Not having that special attachment to the local area, not being directly accountable to the local electorate—as I know the chairman would understand the importance of—they cannot make the very best decisions that we feel can be made at the local level. Section 10 really mitigates in favour of that kind of erosion of the control those local boards have.

I could go into detail on some of the other programs, but I notice we are getting very near six o'clock and I know the chairman wants me to

sit down. I do not have to adjourn the debate, but just have to sit down if it is, indeed, six o'clock in about one minute from now. No doubt, I will want to do that myself.

After the supper break, I will want to address some of the other problems I see arising out of section 10. I know that my colleague and friend, the critic for the NDP and member for Oakwood, has a special amendment he wishes to introduce to this, which would have a marked effect on this particular section. He will want to move that after the supper hour as well. It being six of the clock, I will sit down and rise again at eight o'clock to continue my remarks.

The House recessed at 6 p.m.

CONTENTS

Tuesday, February 22, 1983

Statement by the ministry

Norton, Hon. K. C., Minister of the Environment:

Niagara River pollution 7880

Oral questions

Davis, Hon. W. G., Premier:

Status of Greymac and Seaway, Mr. Peterson, Mr. Di Santo. 7881

Gregory, Hon. M. E. C., Minister without Portfolio:

Conflict of interest, Mr. Riddell. 7883

Grossman, Hon. L. S., Minister of Health:

Inspection of nursing homes, Mr. Rae, Ms. Copps, Mr. McClellan. 7885

McMurtry, Hon. R. R., Attorney General:

Deaths at Hospital for Sick Children, Mr. Rae, Mr. Peterson. 7883

Norton, Hon. K. C., Minister of the Environment:

Niagara River pollution, Mr. Kerrio, Mr. Charlton. 7888

Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities:

University funding, Mr. Van Horne. 7891

Welch, Hon. R. S., Minister of Energy and Deputy Premier:

Ontario Hydro construction office, Mr. Martel, Mr. Wrye. 7889

Petitions

Kickboxing and full contact karate, Mr. Riddell, Mr. Breithaupt, tabled. 7892

Closure of audio library, Mr. Allen, tabled. 7892

Private member's motion

Motion to set aside ordinary business, Mr. Allen, Mr. Nixon, Mr. Wells, negatived. 7892

Committee of the whole House

Municipality of Metropolitan Toronto Amendment Act, Bill 127, Miss Stephenson, Mr.

Sweeney, Mr. Renwick, Mr. Grande, Mr. Bradley, recessed. 7895

Other business

Centenary of election of Honoré Robillard, Mr. Boudria, Mr. Piché. 7879

Teleguide pictures, Mr. Bradley. 7879

Licence period extension, Mr. Epp. 7880

Response to written questions, Mr. Conway. 7881

Case of Ady Gandour, Mr. Breithaupt. 7881

Ontario Hydro staffing, Ms. Copps. 7892

Response to written questions, Mr. Foulds. 7895

Recess. 7910

SPEAKERS IN THIS ISSUE

Allen, R. (Hamilton West NDP)
Boudria, D. (Prescott-Russell L)
Bradley, J. J. (St. Catharines L)
Breithaupt, J. R. (Kitchener L)
Charlton, B. A. (Hamilton Mountain NDP)
Conway, S. G. (Renfrew North L)
Copp, S. M. (Hamilton Centre L)
Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
Davis, Hon. W. G., Premier (Brampton PC)
Di Santo, O. (Downsview NDP)
Epp, H. A. (Waterloo North L)
Foulds, J. F. (Port Arthur NDP)
Gregory, Hon. M. E. C., Minister without Portfolio (Mississauga East PC)
Grossman, Hon. L. S., Minister of Health (St. Andrew-St. Patrick PC)
Kerrio, V. G. (Niagara Falls L)
Martel, E. W. (Sudbury East NDP)
McClellan, R. A. (Bellwoods NDP)
McMurtry, Hon. R. R., Attorney General (Eglinton PC)
Nixon, R. F. (Brant-Oxford-Norfolk L)
Norton, Hon. K. C., Minister of the Environment (Kingston and the Islands PC)
Peterson, D. R. (London Centre L)
Philip, E. T. (Etobicoke NDP)
Piché, R. L. (Cochrane North PC)
Rae, R. K. (York South NDP)
Renwick, J. A. (Riverdale NDP)
Riddell, J. K. (Huron-Middlesex L)
Ruprecht, T. (Parkdale L)
Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
Sterling, Hon. N. W., Provincial Secretary for Justice (Carleton-Grenville PC)
Swart, M. L. (Welland-Thorold NDP)
Sweeney, J. (Kitchener-Wilmot L)
Turner, Hon. J. M., Speaker (Peterborough PC)
Van Horne, R. G. (London North L)
Welch, Hon. R. S., Minister of Energy and Deputy Premier (Brock PC)
Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
Wrye, W. M. (Windsor-Sandwich L)



No. 221

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Official Report (Hansard)



Second Session, Thirty-Second Parliament

Tuesday, February 22, 1983

Evening Sitting

Speaker: Honourable John M. Turner

Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

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LEGISLATURE OF ONTARIO

Tuesday, February 22, 1983

The House resumed at 8 p.m.

House in committee of the whole.

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT (concluded)

Resuming consideration of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

Mr. Breagh: On a point of order, Mr. Chairman: Guess what? I do not think we have a quorum.

The Chairman ordered the bells to be rung.

8:08 p.m.

Mr. Chairman: We have a quorum.

On section 10:

Mr. Bradley: Mr. Chairman, your friend will recall—

Mr. Chairman: I was listening.

Mr. Bradley: You were listening intently to my remarks on the intercom in the back room. Are you being evicted from the chair? Is Three-Hour Sam going to be evicted?

Mr. Martel: You are being ousted, Sam.

Mr. Foulds: Come on, leave him in. Play it again, Sam.

Mr. Chairman: I am here.

An hon. member: Conspiracies in the making.

Mr. Martel: Stand up for your rights.

Mr. Breagh: They are bringing in the closure chairperson.

Mr. Sweeney: We want Sam.

Mr. Brandt: You can have him.

Interjections.

Mr. Bradley: Mr. Chairman, I will continue because I know you will not be interrupted by the member for York Centre (Mr. Cousens), who is perhaps attempting to counsel you on some of the remarks I made earlier. I do not intend to be very repetitive in my remarks, but I find it necessary from time to time to remind the members on the government side of the deficiencies contained in Bill 127 and specifically of the deficiencies that show themselves in section 10 of the bill.

We have discussed, as I did before the supper break, the potential for the restriction of valuable programs under the jurisdiction of individual boards of education as a result of this bill and specifically of this section of the bill. I will not go into much more detail because many of the people who appeared before the committee were able to do so.

Those on the government side who sat through the committee will remember there were a variety of exhibits before the committee and a variety of people who made representations. We in the opposition wanted to hear more people from Metropolitan Toronto and other parts of the province who had something to say about this bill and section 10 of this bill and through my motion on October 6, 1982, I attempted to achieve this.

We had, for instance, the people from the Toronto Teachers' Federation. I will just touch on a few of these. I will not read the whole list. We had Don Brown of Windsor. We had the School and Community Organization, King George Junior School in York. We had the Board of Education of East York, the Women Teachers' Association of York Borough, the Association for Children with Learning Disabilities of Etobicoke, North York and Scarborough.

8:10 p.m.

We also had the Ontario English Catholic Teachers' Association. One wonders why they would come forward to deal with Bill 127 when it affects the public school system. They recognized some of the problems that could arise from Bill 127 and the eventualities that might come about across the province and they too, looking at their brothers and sisters in the public school system, wanted to indicate their opposition.

There were a number of parent groups as well: Neighbourhood Networks, the High Park Alternative Primary School group, Concerned Scarborough Citizens on Bill 127, Parents Association—French Module at Jarvis Collegiate Institute, the Hispanic Council of Metropolitan Toronto, the Spanish Speaking Parents' Association and so on.

I promised the Chairman I would be a very reasonable speaker and not simply read every

name into the record. What I wanted to indicate to the members was that there were a number of people who were in opposition to all aspects of the bill but most certainly to section 10 of Bill 127.

They were people who were genuinely concerned. I am sure the story the Tory caucus has heard is that these were people who were stirred up by a few radicals in the community. They were not people stirred up by a few radicals in the community; they were parents. They were people interested in education. They were teachers who saw in Bill 127 and section 10 of Bill 127 the potential for disaster in education in Metropolitan Toronto, section 10 being one of the most offensive sections of the bill. I am sure the minister would agree with me.

The Chairman is neutral, but that bill of goods has been sold to the Tory caucus, who view this bill in a slightly different manner from those who have been coming night after night to sit in the public galleries, who have demonstrated in front of this building, who have written letters to their MPPs, who have made telephone calls, who have attempted to get and finally did get a meeting with the Premier (Mr. Davis) and the Minister of Education (Miss Stephenson).

A lot of it revolves around the financial aspects of this bill, which are stipulated in section 10. They are there because the minister has insisted throughout this bill that the purse strings be primarily controlled by the Metropolitan Toronto School Board as opposed to the local boards of education that are found within the jurisdiction of Metropolitan Toronto.

We look at this particular model that is used and wonder, in other parts of the province—and I see some people in the gallery who are from other parts of the province, some who have made representations from Wentworth and Hamilton. I see some people here tonight who are very concerned about the transplanting of this model from one part of the province to another.

Mr. Brandt: You know that is not going to happen.

Mr. Bradley: They said that about regional governments. The members opposite said that about regional government when they implemented it in Metropolitan Toronto in 1953. And now, as a result of the Honourable W. Darcy McKeough, the friend of the members opposite, we are stuck with regional government in Niagara complete with the new regional headquarters about to begin.

Hon. Miss Stephenson: What has that got to do with section 10?

Mr. Chairman: Let us just read this together, just for fun. Section 10: "Subsections 219(3) and (4) of the act relate to the apportionment among the area municipalities of the amount levied by the metropolitan council for public school purposes and secondary school purposes. The subsections are re-enacted to relate to the amendments to section 127 of the act."

Interjection.

Mr. Chairman: But we are dealing with section 10.

Mr. Bradley: I know, but it is also associated with surpluses and deficits. You will recall, Mr. Chairman, that we in the opposition were finally able to extract from the minister, after some 10 hours of debate, a circumstance in committee of the whole where she finally had to abandon the amendment she tried to bring in through the back door after the committee hearings were over so she could get section 6 through the House.

Being the parliamentarian and knowledgeable Chairman that you are, you will know that section 6 is directly related to section 10 because it deals with surpluses and deficits. Under the circumstances that existed then, and they exist to a certain extent now, we would have had a situation where boards of education would have benefited tremendously from incurring surpluses.

We are dealing with apportionment. I would suggest that in the best of all worlds in terms of apportionment there would not be an increase in the powers of the Metropolitan Toronto School Board but a diminishing of those powers so that individuals who reside within the electoral boundaries associated with those individual school boards would have better access to their trustees and more influence in the decision-making process as it relates to section 10.

Apportionment has always been a problem. There are those, particularly in the city of Toronto but certainly in other municipalities, who are concerned that the apportionment might not be as fair as it might when the Metropolitan board is able to exercise the power it has been able to exercise under the provisions of this bill.

I know you share my concern about that, Mr. Chairman. The programs could be cut. Poisoning of relations occurs in the context of difficult economic times, and teachers are unnecessarily being laid off by boards of education, not wanting to maintain those positions in a feath-

erbedding sense, but wanting to maintain them because it would have a direct effect on the quality of education available to children within the boards of education across Metropolitan Toronto.

I know my friend the member for Sudbury East (Mr. Martel) shares that particular concept, as do others. There are a few in the government caucus who secretly share that concept.

I make the plea once again that section 10 of this bill not pass. The minister, having recognized the lack of wisdom in proceeding with this bill even at this late stage, instead of applying the guillotine to my friend the member for Parkdale (Mr. Ruprecht), who will no doubt want to speak next on this, should get up and make a very magnanimous announcement which would be applauded by the member for Brantford (Mr. Gillies), whose desk would probably fall off from the applause.

The member for St. George (Ms. Fish) would be standing and cheering; the member for High Park-Swansea (Mr. Shymko) would be delighted; and certainly the Bobbsey twins, the Attorney General (Mr. McMurtry) and the Minister of Health (Mr. Grossman), would no doubt be delighted, their shins having been beaten by the minister's feet. They would nevertheless still be in a position to cheer the minister for showing good common sense in withdrawing Bill 127 even at this late date.

Before I sit down, I want to announce that I hope the minister does not cut off this debate, because not only does the member for Parkdale wish to speak but so does the member for Prescott-Russell (Mr. Boudria) and others who have a deep interest in the ramifications of this bill. They would like to make their views known if they had the opportunity to do so.

8:20 p.m.

Mr. Grande: Mr. Chairman, at this point I would like to introduce an amendment to this section rather than to speak in generalities.

Mr. Chairman: Mr. Grande moves that subsection 10(5) read as follows:

"The amount levied under subsection (1) for public school and secondary school purposes shall not be reapportioned until all boards pass by resolution a motion accepting such reapportionment."

Hon. Miss Stephenson: On a point of order, Mr. Chairman: There is not a subsection 10(5) at the present time. This motion is "that subsection 10(5) read as follows . . ."

Mr. Grande: Mr. Chairman, it is clearly a new subsection, if the minister does not understand. Subsections 3 and 4 are there. I am talking about a new subsection 5 to be added to section 10.

Mr. Chairman: Well, you have to give credit to the minister: maybe it should have said that. Anyway, we all know where we are now. Continue with it. We will let the amendment stand.

Mr. Grande: Mr. Chairman, my remarks are going to be short, I hope. I do agree with the member for Riverdale (Mr. Renwick), who talked on section 9 and talked, I would not say at length, but to the very substance of section 9.

It was really unfortunate that the minister saw fit after one speech on that section to get up and block any further debate on section 9, because sections 9 and 10 are really the heart of this bill. These two sections are where we talk about dollars, where we talk about the flow of money; and it is in this section, of course, if you cut off the dollars, that you cut off programs for children in Metropolitan Toronto.

I want to begin by asking the minister a question, if I may. It is not a rhetorical question; it is a very serious question that I think this ministry and this minister have not as yet answered. Perhaps it is because the question was not put to them.

Let me try to put the question to the minister, and if it does not subvert the rules, I am willing to give the minister an opportunity to answer, provided she will guarantee that I will be allowed to stand up in my place before she calls closure on this section.

Hon. Miss Stephenson: No guarantees. You have not given any guarantees; you get none.

Mr. Chairman: The minister has indicated she is not very excited about doing that, so I think you had better just continue with your amendment.

Mr. Grande: She is not prepared to answer the question?

Mr. Chairman: Not until her rotation comes around.

Hon. Miss Stephenson: I am not prepared to give you a guarantee.

An hon. member: Shame.

Mr. Breagh: Chickening out.

Mr. Chairman: Never mind. Just speak to the amendment. This is not the time to get into a fight.

Mr. Grande: Mr. Chairman, I always understood that this is debate on clause by clause, and

clause-by-clause debate is a give and take; it is a question-and-answer period, if you like. We may be looking for some information, and I may be asking a question of the minister that her ministry has not looked at yet.

Let me ask it. In section 9 we basically were talking about the local levy and the raising of moneys through the local levy. The Minister of Education has been accused in the past of using this bill as a punitive way of getting at the city of Toronto. The minister surely knows that of all the six area boards in Metropolitan Toronto, only the Toronto Board of Education at present uses the local levy, which is not to say the other boards have not used it before.

Should the Toronto Board of Education incur a deficit, section 9 says the Toronto Board of Education has to pay for that deficit out of the local levy portion of the moneys it raises the following year; it has to skim the amount of the deficit off the money that is raised from the local levy. That is clear.

The question is, since only Toronto has the local levy, what if North York, as it has been known to do, the borough of York, as it has been known to do, or any other local board in Metropolitan Toronto happens to have a deficit? Where are they going to get the money to pay for the deficit? They do not have a local levy. They do not raise money through the local levy.

Is the minister saying the deficits of those boards are to be paid by reducing the Metro allocation to those boards either in numbers of teachers or by way of financial resources?

Hon. Miss Stephenson: Anybody with any intelligence would know that.

Mr. Grande: Mr. Chairman, I am giving the minister an opportunity to stand at this point and explain to us how it would work. Unfortunately, she refuses that opportunity. That is too bad.

Hon. Miss Stephenson: I will answer it.

Mr. Grande: North York has incurred deficits of more than \$1 million in two years out of the past four years. With this kind of amendment in sections 9 and 10, should North York incur a deficit this year or next year, where is North York going to get the money to pay for that deficit, and to whom does North York pay that deficit? We need to have that answered, because if the minister does not have an answer to that, the situation becomes very clear: this bill is indeed a punitive measure against the city of

Toronto board. Is the minister going to give us an answer?

Hon. Miss Stephenson: Yes. When the member has finished.

Mr. Grande: Would the minister like the opportunity at this point? I think it would be nice if she could clear that up.

Mr. Chairman: The minister need not—

Mr. Breaugh: Let her answer it. We do not want to muzzle the minister.

Mr. Grande: Mr. Chairman, I realize the minister does not have to answer. Nobody is forcing the minister to answer, but I would think she would take the opportunity I am willing to give her to explain that question.

Interjection.

Mr. Grande: Let the minister wait until somebody from the side provides her with an answer.

I would like to read section 10 for the record.

"Subsections 219(3) and (4) of the said act are repealed and the following substituted therefor:

"(3) The amount levied under subsection (1) for public school purposes shall be apportioned among the area municipalities in the amounts determined by the school board under section 127.

"(4) The amount levied under subsection (1) for secondary school purposes shall be apportioned among the area municipalities in the amounts determined by the school board under section 127."

8:30 p.m.

Basically both those subsections are the same, with a change from elementary to secondary schools. If we take a look at the Municipality of Metropolitan Toronto Act under section 219, where this amendment tells us to go because certain parts of 219 are being repealed, I have not been able to find anywhere in that section, especially under clauses 219(1)(a) and (b) and subsections 219(2), (3) and (4), where it says the Metropolitan Toronto School Board will determine, or the amount levied under subsection 1 shall be determined by the school board.

I never understood that the school board had the power to make such a determination. I always understood that the Ministry of Education and the government of this province—if we take a look at Bill 127 as introduced in this Legislature in May last year, subsection 6(7) talked about "total rateable property" and the (B) paragraph of that was the portion obtained by dividing commercial assessment by 0.85. I

had understood the minister had said we were dropping that section altogether.

Hon. Miss Stephenson: We did.

Mr. Grande: The minister says, "We did." This was supposed to be one of the sections on which the minister heard delegations and heard people who came to talk to her, and she said, "I have listened to you intently and I am making the change."

In section 10, the minister gives the Metropolitan Toronto School Board power to make the determination about the apportionment. If we take a look at the brief that was presented to us by the borough of Etobicoke in the general government committee, that borough said that the way it is now the percentage of apportionment from the city of Toronto to the Metro level is 39.81 per cent, from York it is 3.73, from Scarborough 14.99, from North York 23.35, from Etobicoke 14.59 and from East York 3.53, for a 100 per cent total of \$889.8 million.

The amendment the minister wanted as Bill 127 was introduced for first reading would have changed the apportionment from the city of Toronto to 40.48 per cent. That is clear. The borough of Etobicoke, supposedly a strong supporter of Bill 127, gave us this information. I am actually quoting from that report.

While the minister says she dropped the section that would change the apportionment for the city of Toronto, basically giving people the impression she would leave it as it is, the Minister of Education gives the power to the Metropolitan Toronto board to determine the apportionment in section 10. Was this her fallback position? If she was forced to change one aspect, she could fall back and use the other section to do exactly the same thing she wanted to do before.

My next point is on the provincial contribution to education. Let us not forget that this whole exercise of Bill 127 is taking place because the provincial government wants to give less and less money to Metropolitan Toronto for educational services. This is basically the whole exercise.

I have a memorandum from Donald G. Timmins, superintendent of finance for the Metropolitan Toronto School Board, February 22, 1982. It says in paragraph 2: "A more detailed calculation is now being made by the school board staff, from which it appears that the total grants to be received by the school board in 1982 will amount to \$166.1 million, a decline of \$28.3 million or 14.6 per cent from 1981."

This government is giving less and less money to the Metropolitan Toronto School Board to run its schools and to run its programs and, at the same time, in Bill 127 it allows the Metropolitan Toronto School Board to determine the apportionment.

In other words, in this coming year this government can give back to the Metropolitan Toronto School Board \$40 million. It says to the Metro board: "Take a look at your apportionment and break it down evenly within the municipalities and raise some money if you want to protect programs. If you don't want to protect programs, don't raise the taxes." The situation is very clear. It is the way this government has found to underfund education in Metropolitan Toronto and, at the same time, increase property taxes in Metropolitan Toronto.

The other point I want to make on this particular section is on industrial and commercial assessment pooling. I understand when the member for Kitchener-Wilmot (Mr. Sweeney) was talking about industrial and commercial assessment pooling, the minister stood up in her place and said, "But you know in Metropolitan Toronto it is already pooled."

The minister can tell that to the member, and there is a certain amount of pooling—as a matter of fact, about 90 per cent is pooled. Those percentages of apportionment I was reading before, namely, 40 per cent in Toronto and a declining percentage from the other area boards, mean that there is a certain amount of pooling, that Toronto, where the rich assessment is, pays a larger share to Metropolitan Toronto for running the schools in Metropolitan Toronto. That is pooling.

The industrial and commercial assessment pooling I am talking about is in the area of the unapproved expenditure, that percentage of the area where school boards, by virtue of the minister's underfunding, have been forced to go and spend above the ceilings the minister says they should be spending. At that particular time, the school board has to pay 100 cents to the dollar to deliver educational services.

What the minister is saying through the industrial and commercial assessment pooling is: "Board, if you want to do that, we are going to penalize you. We are going to take away from you the industrial and commercial assessment pooling part of the increase in the mill rate." That means, and I have said it once and it will come up again for sure, that approximately \$90 million of educational services will be taken out

of the province and put into the provincial coffers for the government's own use.

8:40 p.m.

The minister cannot go on underfunding education, forcing up the mill rate and property taxes in areas where board trustees are conscientious in delivering the educational services their children need and, at the same time, turn around and say, "I am going to take money away from you."

The minister cannot undermine the public education system in this province in that way. People will not allow her to do that. Parents and trustees will not allow her to do that. Those boards of education that are hand in hand with the minister now in supporting Bill 127 will not allow her to do that. I do not know how many different words one can use to describe a simple fact of life. If she wants to underfund education, we say no to that.

However, she is in the government. She has been elected to govern. She will make that determination. She will make those decisions. However, she should not turn around in section 10 of this bill and give the Metropolitan Toronto School Board the power to determine the apportionment for the local area boards to make up for her underfunding.

Mr. Lupusella: It would be a disaster.

Mr. Grande: So it has been said. I am not going to attribute that epithet to the minister. This government is playing a dishonest game. It cannot underfund the educational institutions in Metropolitan Toronto and then turn around and say, "For the good of you all, we are going to make sure the Metropolitan Toronto School Board has the strength and the power to determine the apportionment."

We will continue to debate Bill 127 and education issues in this province for a long time to come. The stage is set. Parents in Metropolitan Toronto are on the watch. They will not allow the minister or this government to undermine public education in Metropolitan Toronto. They will not allow the Metropolitan Toronto School Board to destroy programs their children require.

The teachers will not allow her to do that either. The teachers have made a clear determination. I said to the minister the other night—

Mr. Chairman: Speaking to section 10.

Mr. Grande: I am, Mr. Chairman. I am talking about the funding and about the amendment I put before you. The boards should have to make the decision and pass by resolution

motions accepting the reapportionment. All boards in Metropolitan Toronto should have resolutions which say either, "Yes, we accept this apportionment by the Metro board," or, "We do not." The minister and this government say they believe in local autonomy, and the line of this government is that through this bill it is strengthening local autonomy. What nonsense.

If that is its line, the government should clearly allow school boards in Metropolitan Toronto to make conscious decisions and determinations about the apportionment that is foisted on them from on high by the buffer zone of the Metropolitan Toronto School Board. That board should not and will not be allowed to do the dirty work of this government. It is as simple as that.

Parents will not allow the Minister of Education or this government to do that. Teachers will not allow this government and this minister to do that. I predict that in the months ahead the minister will be hearing a lot from parents and teachers in this province regarding the destructive effect of this piece of legislation which is before us.

I would urge the minister not to take her glasses off, stand up and impose closure right now. She is getting set for it. I would urge her, as the member for St. Catharines (Mr. Bradley) and I have done on many occasions, even though I know it is virtually fruitless—her ears are plugged, they are full of wax by now, she cannot hear any more—

Hon. Miss Stephenson: At least my head is clear.

Mr. Grande: It is clear because she does not allow facts to confuse her.

Anyway, the fact is the best thing the government can do right now is to say: "Let us abandon this bill. Let us give it up." Because after all, if educational services to children in the area boards do not have the support of the teachers—that person, as the minister has said on many occasions, is the pivotal point of the educational system—and do not have the support of the parents, and if the parents feel she is undermining the public educational system, does the minister know what they will do? They will withdraw their children from the public educational system. The trend is clear and the minister is pushing parents to do exactly that, to abandon the public educational system.

Hon. Miss Stephenson: Mr. Chairman, I am constrained to rise to respond to the questions raised by the member for Oakwood. I would

have thought the honourable member would have recognized the content of section 10. The content of section 10 is relatively simple.

In section 127 of the act, it states quite clearly that the Metropolitan Toronto School Board will be responsible for the determination of, for example, an unavoidable deficit. It will determine whether there were factors involved in a deficit which is incurred by a board. Those factors have been worked out jointly by all the boards in Metropolitan Toronto, including the Toronto Board of Education, and have been agreed to by all of those boards.

That responsibility lies with the Metropolitan Toronto School Board and if it has that responsibility then quite logically, instead of Metro council being responsible for the apportionment, as it currently is in the act, the Metropolitan Toronto School Board should be responsible for that apportionment. That, of course, is why these amendments or these sections are in the bill.

In addition to that, the member asked a very interesting question and that is: what would happen to North York if it incurred a deficit of \$1 million? Obviously, if that deficit were perceived by all of the boards jointly together deciding that there was a foreseeable deficit which could have been avoided by the North York Board of Education, then that board is going to be responsible for that deficit. It would have to levy the discretionary levy in order to account for it, in order to cover that deficit. That was one of the reasons, obviously, that the discretionary levy was put there in the first place.

This is a very simple amendment which does none of the kinds of things the devious mind of the delightful member for Oakwood was suggesting related to education. In Metropolitan Toronto, since 1974 there has been an increase in support for public education which has doubled. It has gone from \$524 million in 1974 to \$1,100 million in 1982.

Mr. Rae: How much has property tax gone up?

8:50 p.m.

Hon. Miss Stephenson: I will tell the honourable member. In Metropolitan Toronto there has been a tremendous increase in assessment. In the past decade the assessment in Metropolitan Toronto has increased by 500 per cent [see correction, page 7928] and Metropolitan Toronto is unhappily suffering from its own riches at the present time as a result of the fact these general

legislative grants relate to the level of assessment within a local area.

The Lake Superior Board of Education has a significantly larger provincial grant than Metropolitan Toronto. Why? Because the Lake Superior board does not have the same kind of assessment base as Metropolitan Toronto.

In order to try to distribute the funds more equitably across the province the increases have gone to the boards where the assessment base is not so high. The member knows this because about six months ago we gave him a four-hour lecture on the way the general legislative grant worked—as we did for the member for St. Catharines—in order that he would understand all of this.

In the past decade the cost of education in this province has risen by 227 per cent. It is significantly higher than the consumer price index increases by about 70 to 80 per cent. The provincial grant has increased by 225 per cent and the local assessment has increased by 227 per cent.

I know this is not on section 10 of the bill, but I need to instruct the member opposite in the facts of life.

During that time there has been an increase in assessment right across the province of approximately 114 per cent, so that the local taxpayer has not borne an unduly large increase in the cost of education. But the cost of education has increased very dramatically. The member should understand that. I am trying to give him the facts.

In Metropolitan Toronto that increase has been just as significant, obviously, and the assessment base of Metropolitan Toronto has increased dramatically over that time as well. In this amendment, the Metropolitan Toronto School Board takes over the responsibility for apportionment that was in the hands of Metro council previously. That is a rational thing to do, given the sections in section 6 of this bill.

Unless the member for Parkdale (Mr. Ruprecht) insists on having some participation in this rather technical debate, I would move under section 36 that the previous question be now put.

Mr. Chairman: I would like to point out at this time that last night I spoke to my concerns of time on a particular section. In regard to section 10, considering the balance of debate, the time of debate and the indication of participation, I will rule the minister's motion on this section is in order.

Hon. Miss Stephenson moves that the question be now put.

9:25 p.m.

The committee divided on Hon. Miss Stephenson's motion that the question be now put, which was agreed to on the following vote:

Ayes 53; nays 36.

The committee divided on whether section 10 should stand as part of the bill, which was agreed to on the following vote:

Ayes 53; nays 36.

On section 11:

Mr. Ruprecht: Mr. Chairman, before I commence my remarks I would like to ask you to tell me how I thank the minister for her gracious remarks permitting me to speak.

We know that section 11 empowers the minister to apply this terrible bill to the city of Toronto, to the school board and to all the children in Toronto. The most relevant sections are section 127 of the act, especially subsection 127(6), which deals with surpluses and deficits; section 133 of the act, which deals with compulsory joint bargaining; and section 9 of the bill, which touches on the ceilings on the number of teachers who can be hired.

In short, all these sections point to one thing: to cut, restrict and stifle education in Toronto. That is what is so terrible about this pernicious bill. It shows the minister's attitude, the attitude of restriction, cutting teachers, cutting programs and wreaking havoc in the schools of Toronto. All the sections I have just mentioned indicate very clearly that the minister is out of touch with what is happening in the city of Toronto, out of touch with trustees in the city of Toronto, out of touch with parents here and certainly out of touch with the children.

We know that without adequate numbers of teachers, to which section 9 addresses itself, there are no special programs; without adequate special programs classes will be cut. It even means that some schools are going to be closed. Above all, what this restrictive attitude of the minister indicates is that she has her hands on the education of our children.

She has her hands on the necks of our children in Toronto; she is holding those hands tightly around those necks and squeezing them. The minister should look at her hands, those nice hands that look to most people as if they are well-kept and well-intentioned, but I hope the minister will not leave with Bill 127 intact and get the name of the modern Lady Macbeth of Ontario. Why do people say when they look at

section 11 that she could be the modern Lady Macbeth? Because she could say, "I see the dagger before me."

The Deputy Chairman: There is conversation going on among members. I ask you to lower the number of decibels so that we can all hear the member for Parkdale. He was speaking to section 11.

Mr. Ruprecht: That is right. I think most members can hear me, including the member for Brantford (Mr. Gillies), who may not have a direct interest in this legislation. I know what that member and some others on his side sent me on a piece of paper. That is the interest of the members opposite. Look at it, Mr. Chairman. Look at this bill. This is what I received from the members opposite.

Interjections.

Mr. Ruprecht: That shows the interest the member for Brantford has in the bill.

The Deputy Chairman: Perhaps the honourable member would not allow himself to be distracted by these interruptions. I will try to control them.

Mr. Ruprecht: Distracted? Why do I get these notes? This deals with education in Toronto. I have just said our Lady Macbeth is destroying education in Toronto because she is destroying teachers, classrooms and special programs and, consequently, creating chaos in educational policies in this city which in the past has prided itself in supplying one of the best educational institutions in the whole North American continent.

Can we continue with these policies, with section 11, section 127 of the act, and sections 6 and 9? With this section, she is not letting Toronto and the board of education and children breathe the fresh air of good solid education. How can we accept that? We cannot.

Look at section 133 of the act. This section brings expenditures under the purview of the Metro board. How sensitive will the Metro board be to the demands, desires and needs of the city of Toronto? The minister may well know how sensitive the Metro board is going to be, but members know the Metro board is not going to be sensitive.

When requests are being made to supply teachers and more money, the relationship will be the same as that which presently exists between the city of Toronto and the Metropolitan council. On one hand, we have the city saying, "Look at the specific needs of the Island residents." On the other hand, we have Metro

saying: "Forget the Island people and forget the needs. Let us just bulldoze them out of there and create parks."

That same kind of attitude and the same kind of insensitivity are what we can expect from the Metro board when the city of Toronto and its board of education will go to the Metro board and say: "We need more finances. We need more money. We need special programs." The answer is going to be beyond a shadow of a doubt, "No, go somewhere else."

Hon. Miss Stephenson: It has never been that way. It has never been no.

Mr. Ruprecht: Oh, of course, it has never been that way. According to the minister, we are all wrong over here. None of us has an idea about education in Toronto and none of us has an idea of how educational policies in this area should be structured, according to that minister.

I am happy to see the back-benchers clapping. They are clapping for the wrong reasons because they do not understand what is taking place.

When the city of Toronto and the board of education go to the Metro board, they lose. They will always lose. We can understand why, in this section, the city of Toronto is not even mentioned and the Toronto Board of Education is not even mentioned. It is done in a nice surgical fashion.

We know the numbers that will sit on the Metropolitan board. We know these numbers will be lost. We know the arguments will be lost; the arguments sometimes will not even be able to be made. When the residents and the parents of some of these children appear there, we know what kind of treatment they will get before the Metro board. That, the chairman will admit, is not in the best interests of the residents of the Metropolitan area, especially the residents of the city of Toronto, and the minister knows that too.

When the city board of education approaches Metropolitan Toronto for more teachers, the answer will be, "No, go somewhere else." Then the trustees will say: "Where are we going to go to get more teachers? Where are we going to go to get more finances? We can't get more finances because the special levy is cut down. We can't get more teachers simply because we can't accept the mill rate." "Go somewhere else" will be the answer. Where will they go?

"What we will do," the city of Toronto says, "simply is to get the minister to change her mind on the mill rate." But the mill rate will not permit the city of Toronto to raise extra funds.

That is another reason, another question in my mind as to whether the minister understands the implications of this bill. If the city of Toronto taxpayers are ready and able to pay for more education, pay for quality education in this city, then why is the minister so adamantly opposed to letting the city of Toronto be taxed a little more so its children will become competitive?

What we are basically talking about in principle in this bill is whether children who have come from other countries and our own downtown children are going to be able to compete with the rest of the children in Ontario. With the programs cut, with class sizes increased, with the mill rate staying at 1.5, there is simply no way the children in this city are going to be competitive across the board on an equality basis or are going to be equally trained and equally educated to compete with other people in Ontario. The Chairman has to admit that is the very basic crux.

If the mill rate cannot be changed, according to this section, if the teachers cannot be hired, if the schools have to close down, and some of them no doubt will, what can we do? What we can do is simply watch the deterioration of education in this city, and we will not be in cahoots with this minister in that. In fact, what we are going to do is to propose, one more time, and I hope the minister is listening, that before this evening is over, she will turn around and understand the chaos she is creating here with this specific bill in this specific section, will see the light, will accept that this has been a failure, will accept the fact that she has been misinformed, that she has been advised wrongly by some of the people who advise her, and will give us the legislation we deserve and that the children in this city deserve. For a final time, I ask the minister to turn around and reject this bill.

Mr. Di Santo: I have a point of order, Mr. Chairman, before the member for Oakwood speaks.

The Deputy Chairman: I recognize the member for Downsview.

9:40 p.m.

Mr. Di Santo: Just to reinforce what the member for Parkdale said, can I introduce Mrs. Elizabeth Smith, who is a trustee for North York and president of the Conservative association for York Centre, who came to support the opposition and tried to persuade the minister to withdraw the bill.

[Applause]

The Deputy Chairman: Now the member for Oakwood, and please speak to the section.

Mr. Nixon: Bette, take her name.

Mr. Rae: She took her name a long time ago, I think.

Mr. Foulds: Bette's KGB will be on the warpath now.

Mr. Grande: Mr. Chairman, I would like to move an amendment.

The Deputy Chairman: Order.

Mr. Grande moves that subsection 11(1) of the bill be amended to read, "The following apply only in respect of estimates and apportionment in 1985," and that paragraph 11(1)(1) be amended to read, "Subsections 127(3) and (4) of the said act, as enacted in section 6."

Mr. Grande: Very briefly, Mr. Chairman, the reason for moving this amendment is that, as we found out in the *Globe and Mail* of Monday, February 21—

Interjections.

Mr. Grande: It says, "Support Runs High for Direct Election in Metro Toronto," and the Minister of Municipal Affairs and Housing (Mr. Bennett) is quoted as saying, "We are willing to look at such an arrangement."

In other words, the reason I am changing the date from 1983 to 1985 is to give this government an opportunity before they introduce this bill and before they give the powers to the Metro board, since there is no election to the Metro board, that the Minister of Education—

Mr. Rotenberg: It is giving no powers to the Metro board, so what are you worried about? You know they are giving no powers to the Metro board.

The Deputy Chairman: Order.

Mr. Grande: The Minister of Education and the government—

Mr. Rotenberg: He's not reporting the facts.

The Deputy Chairman: Do not interrupt. You will have a chance to speak.

Mr. Grande: The member for Wilson Heights (Mr. Rotenberg) has been gagged more than the opposition is being gagged on this bill in discussing the amendments.

I very simply want to give the Minister of Education and the government the opportunity to make the decision about direct elections so that then the people of Metropolitan Toronto will have direct elections to Metro and the responsibility will be a direct responsibility through their elected representatives.

The second part of this amendment basically says that subsections 127(5), (6) and (7) of the act should not be part of section 6 of the bill for the simple reason that this government did not allow any debate in this Legislature on those sections. As you recall, Mr. Chairman, on subsection 6(4) the minister stood in her place, called on standing order 36 and closed off the debate. Therefore, those three sections that were not debated in this Legislature should not be considered part of the bill.

The Deputy Chairman: I will call the question. All those in favour of the motion will please say "aye."

An hon. member: The minister's?

The Deputy Chairman: No. We are dealing with an amendment. Shall I read the amendment?

"I move that subsection 11(1) of the bill be amended to read, 'The following apply only'—

Mr. Stokes: You can't move it.

The Deputy Chairman: No. There are people who did not understand it.

"The following apply only in respect of estimates and apportionment in 1985" and "Subsections 127(3) and (4) of the said act, as enacted in section 6."

9:57 p.m.

The committee divided on Mr. Grande's amendment to section 11, which was negatived on the following vote:

Ayes 36; nays 55.

Mr. Rae: Mr. Chairman, as you know from your own study of this legislation, section 11 refers to the enactment of sections 6, 9 and 10. I simply would like to say I regret very deeply that the government has decided to reject our amendment which would have delayed the implementation of these sections.

I would like to indicate to this House and to the minister that the Tory government will deeply regret the day it decided to enact and pass Bill 127. It will regret that day because it will mean poorer education for all the people of Metropolitan Toronto and harder times for those citizens who look to public education as their route and their road to opportunity.

This is a bill that diminishes opportunity, that strangles opportunity and that will make it far more difficult for our young people to be able to compete and thrive in the world of the 21st century. That is what the legislation means and that is why the implementation of it is so unsound.

10 p.m.

With respect to what this government is doing to teachers, I simply want to say that if one looks at those jurisdictions which have started to centralize bargaining, that process has not helped education or labour relations and, if I may say to the government, it has simply contributed to the politicization of bargaining which is going to cause problems far more to that government than it is to members on this side.

I want the minister to know that it is her own fanaticism, rigidity and ideological straitjacket that is going to cause serious problems for that entire party with respect to the future of education in Metropolitan Toronto.

Hon. Miss Stephenson: Mr. Chairman, the rhetoric of the leader of the third party is not worth responding to since he has not made an accurate statement in all of this. I would move that the question be now put.

The committee divided on Hon. Miss Stephenson's motion that the question be now put, which was agreed to on the following vote:

Ayes 56; nays 36.

The committee divided on whether section 11 should stand as part of the bill, which was agreed to on the same vote.

On section 12:

The Deputy Chairman: Speaking to section 12; we are proceeding quickly.

Mr. Bradley: Speaking to section 12 of the bill: Section 12 deals with—

Hon. Mr. Bennett: That's the one that follows 11.

Mr. Bradley: Pardon?

The Deputy Chairman: Order.

Mr. Bradley: Subsection 12(2) indicates that section 8 comes into force on January 1, 1983, and the first part indicates that, except section 8, the act comes into force on the day it receives royal assent. I am speaking in opposition to that, because after having reached this stage of the bill at this late hour on the evening of Tuesday, February 22, I am still in the position—

Interjections.

The Deputy Chairman: Order. Carry on, please. Do not allow these distractions to interrupt your train of thought.

Mr. Bradley: Thank you very much, Mr. Chairman. They are distracting.

I do not think this bill should come into effect right away, because it is a bill on which there has not been adequate consultation with the various groups in the community, and not enough

debate either, which is necessary before implementing legislation of this kind.

Back in June 1982, when I had a chance to make a few remarks on second reading of this bill, I quoted the now Minister of Industry and Trade (Mr. Walker), who oft-times quoted Will Rogers—he did not want to take the credit himself—by saying, “You don’t fix something that ain’t broke,” or words to that effect. Those words have been oft repeated in this debate, not only by members of this assembly but also by the many people who have come here night after night to indicate their very strong opposition to this bill. That strong opposition is obvious.

Because it has taken so long for this bill to proceed this far in the debate, it should not come into effect immediately but should be held in abeyance until such time as the kind of meaningful consultation we in the opposition have called for can take place.

Hon. Miss Stephenson: Hogwash.

Hon. Mr. Ashe: Even the member for St. Catharines (Mr. Bradley) cannot keep a straight face.

Mr. Bradley: I can say that. I smile only at the barking that is coming from the government benches; I smile only at the interjections.

Mr. Nixon: My God, what is this coming?

Mr. Cunningham: Mr. Chairman, does this come with salad?

Interjections.

Mr. Bradley: The Minister of Transportation and Communications (Mr. Snow) has just arrived. Some say he will not be on the scene much longer, that he will be going to a greater reward.

The Deputy Chairman: Please speak to section 12.

Mr. Bradley: He certainly would not want to be part of a piece of legislation which can be held in abeyance and which does not have to be implemented on the dates suggested in the bill. In that case, perhaps we would see a significantly different bill.

If the Minister of Education were to go back to the Workgroup of Metro Parents, for instance, and say, “I am prepared to be direct in my negotiations with you; I am prepared to listen to what you have to say and to respond in a meaningful fashion to what you have to say,” those people certainly would be willing to have additional input into this legislation.

If she went to the various affiliates of the teachers’ federations in Metropolitan Toronto and across the province, and said: “We want to

begin anew some negotiations over this piece of legislation. We want to know how we can address the problems that we perceive to be there," I am certain all those people would happily come forward to assist the minister in developing a different kind of legislation.

I get the impression from the facial expressions of the minister and from the kind of support she appears to have this evening that it is unlikely she is going to follow my counsel in this case, wise as it may be. However, I leave that opportunity open to her this evening, to rise after the representative of the New Democratic Party has finished, to indicate that she is prepared to do exactly that: to leave the bill in abeyance and not proceed further.

10:10 p.m.

Mr. Grande: Mr. Chairman, I want to speak to the section as a whole. As you know, I have two amendments to it. I do not think it is necessary for them to be put on the floor. I can speak to the section as a whole.

I am going to give the Minister of Education one of my amendments, that section 8 should come into force on January 1, 2000.

The Deputy Chairman: Is that your amendment?

Mr. Grande: No, I am not moving it.

The Deputy Chairman: Will you please move your amendment?

Mr. Grande: No, Mr. Chairman.

Interjections.

The Deputy Chairman: I cannot hear the honourable member, that is my problem.

Mr. Grande moves that subsection 12(2) be amended to read that section 8 comes into force on January 1, 2000.

Mr. Grande: Mr. Chairman—

The Deputy Chairman: Order. I have asked the members to give attention to other members when they have the floor. I have warned all members, and I caution each one that certain action will be taken by the chair should the interruptions continue.

Mr. Grande: I have in the amendment the year 2000. The member for Riverdale said, "What a lousy way to start the century." However, let me point out that section 8 deals with the hiring and firing of additional teachers as the minister and this bill talk about additional teachers.

I want to give the minister plenty of opportunity between now and the year 2000 to make sure she will speak to John Tolton from Etobicoke

and the members for Scarborough, East York and perhaps North York, and find out how happy they are about subsection 6(4) of this bill as amended in this Legislature.

I want to give the minister the opportunity to table in the Legislature in her own sweet time the document which she says is available in terms of what is an unavoidable deficit. I want to give the minister the time because we know how slow government moves. Definitely she needs until the year 2000 to accomplish those very simple facts.

Hon. Miss Stephenson: Mr. Chairman—

Hon. Mr. Bennett: Tony has got to have his say first.

The Deputy Chairman: I recognized the Minister of Education first.

Mr. Wrye: No, no.

The Deputy Chairman: We are in committee and there can be different people speaking at different times. The Minister of Education has the floor.

Hon. Miss Stephenson: Mr. Chairman, it is unutterably ludicrous to suggest that the amendment suggested by the member for Oakwood is a reasonable amendment. To suggest that it would take any period of time to provide information he knows is not factually correct because we have provided him with almost unlimited amounts of information in all areas he has requested over the past several months and years.

In standing committee, we armed him with sheaves of paper and tons of documentation. He has had ample opportunity to peruse all of this, so I think it would be nonsensical to propose that there should be an amendment of this sort. Indeed, to suggest there should be proclamation three years from the date the bill receives royal assent is unheard of in parliamentary procedure.

I would therefore move the question be now put.

The Deputy Chairman: Hon. Miss Stephenson moves that the question be now put.

10:16 p.m.

The committee divided on Hon. Miss Stephenson's motion that the question be now put, which was agreed to on the following vote:

Ayes 58; nays 37.

The committee divided on whether section 12 should stand as part of the bill, which was agreed to on the same vote.

On section 13:

Mr. Bradley: Mr. Chairman, no more sections are left in the bill after section 13. This has been a long process for the government. I should save this speech for tomorrow, but I want to say briefly that I hope the members of the government recognize, as a result of the length of time it has taken this legislation to pass the House, how much opposition there has been to this bill and how much opposition there is on this side of the House to the trampling of the rights of the Legislature when the government attempts to impose closure.

Having said that and speaking specifically to section 13 of the act where it indicates—

Hon. Mr. Sterling: Do you remember the Re-Mor committee?

Mr. Bradley: I well remember the Re-Mor committee. Who could forget it when those people trampled on the rights of Parliament?

Mr. Nixon: They even called an election to get out of it.

Interjections.

The Deputy Chairman: Order. Section 13 is the subject of debate.

Mr. Bradley: With the former Attorney General on the stand, they called an election.

The Deputy Chairman: Order. The member for St. Catharines will speak to the bill.

10:20 p.m.

Mr. Bradley: I have too much respect for the Chairman to reply to the interjections.

It indicates here that the short title of this act is the Municipality of Metropolitan Toronto Amendment Act, 1982. We could make many suggestions for better titles for this act. Because of the concerns expressed outside of Metropolitan Toronto and the experience we had with Darcy McKeough, the former Minister of Treasury, Economic and Intergovernmental Affairs and the former member for Chatham-Kent, with the implementation and imposition of regional government across this province, I suppose we could call the short title of this act the Prelude to Regional Government in Education across Ontario Act, or something of that nature. There would be many who would recognize the pattern.

We could call it the Lack of Consultation with the Appropriate People in the Field of Education Act. We could call it the Diminishing of Quality in Education through Financial Manipulation on the part of the Government Act. There are many things.

Mr. Nixon: How about the Embarrassed Larry Grossman Act.

Mr. Bradley: There is another one. As the member for Oakwood has suggested in his amendment, we could call it the Reduction of Quality Education and School Closure Act of Metropolitan Toronto. Any one of these would be more appropriate short titles of this act than the one we find in section 13.

We know the minister will not change that. We leave it for the consideration of the government caucus.

Mr. Grande: Mr. Chairman, the member for St. Catharines pre-empted—

The Deputy Chairman: Order. I have difficulty hearing the member for Oakwood. Carry on, please.

Mr. Grande: I would like to put an amendment to this section, which is that the short title of this act should be the Reduction of Quality Education and School Closure Act and the Bette Stephenson Memorial Act of Metropolitan Toronto.

The Deputy Chairman: I rule that out of order. It is not a legitimate amendment. Does the member still wish to have the floor to speak to section 13?

I was reading directly from Erskine May. I was so grateful that the member did give me advance notice of the amendment to change the title. This very clearly says that, "Except in the circumstances described in the following paragraph, the title can only be amended if the bill has been so altered as to necessitate such an amendment." It goes on to explain my ruling. Unless such a change were made, I would not allow such an amendment to stand. The member will now speak to section 13.

Mr. Grande: I will speak to section 13, Mr. Chairman. I accept your ruling. That will not diminish the fact that this bill is nothing but a reduction of quality education in Metropolitan Toronto. It is nothing but an encouragement to boards of education to cut programs for children in Metropolitan Toronto. It is nothing but an encouragement to boards of education to close schools in Metropolitan Toronto.

This bill is a bad bill. This government, at the very least, should accept, even though they reject this amendment, that this is the true name of the bill.

The committee divided on whether section 13 should stand as part of the bill, which was agreed to on the following vote:

Ayes 58; nays 37.

The committee divided on whether Bill 127, as amended, should be reported, which was agreed to on the same vote.

On motion by Hon. Mr. Wells, the committee of the whole House reported one bill with certain amendments.

Hon. Mr. Wells: Mr. Speaker, I wonder if I might have the unanimous consent of the House to revert to motions?

Mr. Speaker: Do we have unanimous consent? Agreed to.

MOTION

HOUSE SITTINGS

Hon. Mr. Wells moved that, notwithstanding any previous order, the House sit in the chamber on Wednesday, February 23.

Mr. Speaker: Are you all familiar with the motion?

Interjections.

Mr. Speaker: Order.

Hon. Mr. Wells: What this motion means is that we would resume sitting tomorrow at two

o'clock with the regular routine proceedings and then proceed to third reading of Bill 127.

Mr. Breithaupt: Afternoon and evening?

Hon. Mr. Wells: I hope just in the afternoon, followed by royal assents and a very uplifting prorogation speech from His Honour the Lieutenant Governor.

Motion agreed to.

The House adjourned at 10:28 p.m.

[Later; February 23, 1983]

Hon. Miss Stephenson: May I please correct the record? In the debate last evening, there is on page 2050-1 of the Instant Hansard, page 19, in the third line of the first paragraph the statement, "has increased by 500 per cent." That should be \$500 million, not per cent. In the sixth paragraph it should read, "an increase in assessment of approximately 70 per cent, so that the local taxpayer has not borne an unduly large increase" In fact, the average mill rate increase during the past decade has been of the order of 114 per cent for the taxpayers across the province.

Mr. Foulds: Were those the minister's own statements she was correcting?

Hon. Miss Stephenson: Yes.

CONTENTS

Tuesday, February 22, 1983

Motion

House sittings, Mr. Wells, agreed to..... 7928

Committee of the whole House

Municipality of Metropolitan Toronto Amendment Act, Bill 127, Miss Stephenson, Mr. Bradley, Mr. Grande, Mr. Ruprecht, Mr. Rae, reported..... 7915

Other business

Adjournment..... 7928

SPEAKERS IN THIS ISSUE

Ashe, Hon. G. L., Minister of Revenue (Durham West PC)
 Bennett, Hon. C. F., Minister of Municipal Affairs and Housing (Ottawa South PC)
 Bradley, J. J. (St. Catharines L)
 Brandt, A. S. (Sarnia PC)
 Breough, M. J. (Oshawa NDP)
 Breithaupt, J. R. (Kitchener L)
 Cousens, D., Deputy Chairman and Acting Speaker (York Centre PC)
 Cunningham, E. G. (Wentworth North L)
 Cureatz, S. L., Deputy Speaker and Chairman (Durham East PC)
 Di Santo, O. (Downsview NDP)
 Foulds, J. F. (Port Arthur NDP)
 Grande, T. (Oakwood NDP)
 Lupusella, A. (Dovercourt NDP)
 Martel, E. W. (Sudbury East NDP)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Rae, R. K. (York South NDP)
 Rotenberg, D. (Wilson Heights PC)
 Ruprecht, T. (Parkdale L)
 Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
 Sterling, Hon. N. W., Provincial Secretary for Justice (Carleton-Grenville PC)
 Stokes, J. E. (Lake Nipigon NDP)
 Sweeney, J. (Kitchener-Wilmot L)
 Turner, Hon. J. M., Speaker (Peterborough PC)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
 Wrye, W. M. (Windsor-Sandwich L)





No. 222

Legislature of Ontario Debates

Official Report (Hansard)



Second Session, Thirty-Second Parliament
Wednesday, February 23, 1983

Speaker: Honourable John M. Turner
Clerk: Roderick Lewis, QC

CONTENTS

Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of the speakers taking part.

An alphabetical list of members of the Legislature of Ontario, together with lists of members of the executive council, the parliamentary assistants and members of the standing committees, also appears at the back as an appendix.

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LEGISLATURE OF ONTARIO

Wednesday, February 23, 1983

The House met at 2 p.m.

Prayers.

STATEMENTS BY THE MINISTRY

AGGREGATE POLICY

Hon. Mr. Pope: Mr. Speaker, I am pleased to inform the House today that I am releasing my ministry's new mineral aggregate resource planning policy. It is a policy we feel is vital to the economic health of our province, for it will help protect Ontario's valuable aggregate resources.

I am sure honourable members recognize how important aggregates—sand, gravel and crushed stone—are to Ontario's economy. They are needed to construct our buildings and our roads. Ontario currently uses around 120 million metric tons of aggregate each year, or 14 metric tons for every person in our province.

Since aggregates are needed in large tonnages and transportation costs are extremely high—in some cases more than half the delivered cost of the materials—it is necessary that these vital resources continue to be available as close to markets as possible. Some areas in Ontario are already facing aggregate shortages with accompanying cost increases. There are indications that by about the year 2010, the Toronto area may be short of readily accessible sources of aggregates.

Just as we must protect the resource, we must also protect residents, agricultural lands, nearby land uses and the environment from undue disruption because of pit and quarry extraction.

Our new planning policy recognizes both these needs. It asks municipalities to include aggregate resources planning in their official plans. This provides protection for both existing pits and quarries and potential aggregate resources which may be needed for future extraction. It also asks that municipalities set out rehabilitation policies for pits and quarries in their official plans.

Honourable members may recall that my ministry implemented a 10-point mineral aggregate policy for official plans back in 1979. While the basic intent remains the same, I feel the new policy better clarifies the respective roles of my ministry and the municipalities in aggregate

planning and protection. It will apply on a province-wide basis but is flexible enough to accommodate different situations across the province, especially in sensitive areas such as specialty agricultural crop areas.

Like the previous policy, this policy will not require municipalities to "freeze" land where aggregates are located. Rather, it will ensure adequate protection of these important resources through official plans. Municipal officials will retain control over the location of pits and quarries, as in the past, through zoning.

I would like to thank my colleagues in the ministries of Municipal Affairs and Housing, Transportation and Communications, and Agriculture and Food, as well as all the concerned groups and agencies who worked with my ministry in developing this policy.

FOOD LAND GUIDELINES

Hon. Mr. Timbrell: Mr. Speaker, in conjunction with the mineral aggregates resource planning policy, which my colleague the Minister of Natural Resources has just announced, I am pleased to announce a series of—

Mr. Rae: Leader, leader.

Mr. Ruston: He's going to be Leader of the Opposition after the next election.

Mr. Speaker: Order. I am sure this is a very important announcement.

Hon. Mr. Timbrell: That is right. Pay attention.

Mr. Rae: Is this the big announcement?

Mr. Speaker: Order.

Mr. Stokes: Too bad he has so many interruptions from his own colleagues.

Hon. Mr. Timbrell: Not to mention the member for Lake Nipigon (Mr. Stokes).

Mr. Speaker, in conjunction with the mineral aggregates resource planning policy, which my colleague the Minister of Natural Resources has just announced, I am pleased to announce a series of revisions to my ministry's food land guidelines policy. These changes are designed to protect agricultural lands from sand, gravel and other mineral aggregate extraction.

I want to assure the honourable members that this government realizes the necessity of pro-

tecting both our productive farm lands and our aggregate resources. These goals are not mutually incompatible; they can be achieved.

My ministry's new policy recognizes that there are a number of areas in the province with both agricultural and mineral potential. Our policy has two components encompassing our valuable specialty cropping areas and all other agricultural lands.

Under our tightened policy, aggregate mineral extraction—for example, gravel pit mining—will not be permitted in designated specialty crop areas unless it is reasonably documented that the land will be restored to produce the same crop at the same production level. Any proposed project must also document that the extraction would not affect the microclimate necessary for specialty crop production.

The policy identifies five areas where unique combinations of soils and climatic conditions allow the production of specialty crops that are important to our agricultural base. The five specialty crop areas covered in the guidelines are these: the fruit-growing areas of the Niagara region; an area in the vicinity of King's Highway 3 south of Blenheim in Kent county; two areas in Essex county, the farm lands around the towns of Leamington and Harrow; and the Meaford-to-Thornbury area in Grey county.

On all other agricultural land, mineral aggregate extraction may occur only if the land is rehabilitated and the same acreage and soil capabilities are restored. In areas where extraction is permitted on agricultural lands we will be requiring municipal planning policies to stipulate that such land be restored to agricultural use after extraction.

These changes in our food land guidelines will help ensure preservation of our valuable farm lands, particularly our specialty crop areas, while not seriously interfering with the need of industry for an adequate supply of mineral aggregates.

Mr. J. A. Reed: On a point of clarification, Mr. Speaker: The Minister of Natural Resources (Mr. Pope) did not point out what he is going to do with those municipalities that have already frozen their land under the old 10-point aggregate policy.

Mr. Speaker: I am sure the member can ask him that at the appropriate time.

Mr. Wrye: On a point of privilege, Mr. Speaker: I wanted to delay my point of privilege until the Minister of Labour (Mr. Ramsay) and

the Minister of Health (Mr. Grossman) were here.

My point of privilege involves a grievance arbitration hearing now under way in Windsor, where the policies and procedures of the ambulance operations unit of the Ministry of Health are central to the grievance.

Yesterday and today members of the press attempting to cover this very important arbitration hearing were barred from the hearing room by Patrick Draper, chairman of the arbitration panel, despite the fact that the grievor asked that the hearing be open. I am informed that Mr. Draper—

2:10 p.m.

Mr. Speaker: Order, please. That is not a point of privilege.

Mr. Wrye: You have not heard it out.

Mr. Speaker: It has nothing at all to do with the House.

Mr. T. P. Reid: Mr. Speaker, on a point of order: I note there is an indication the Minister of Consumer and Commercial Relations (Mr. Elgie) perhaps will not be in the House. I was expecting there would be a statement from him or the Premier (Mr. Davis) to bring us up to date on what is going on, especially in terms of Kilderkin and the events that took place at those offices this morning.

Mr. Speaker: Order. I called for statements by the ministry and obviously there were no more.

ORAL QUESTIONS

NIAGARA RIVER POLLUTION

Mr. Conway: Mr. Speaker, as the long and winding road of this winter session draws to something of a conclusion, I must say it is great to see the member for St. George (Ms. Fish) sitting here today resplendent in her Liberal red, proving she is not lost and she is not the dark horse spoken of in the morning press.

I have a question for the Minister of the Environment. It concerns the minister's statement to the Legislature yesterday regarding the presence of dioxin—

Interjections.

Mr. Speaker: Order. The member for Renfrew North has the floor.

Mr. Conway: Thank you, Mr. Speaker. My question is for the Minister of the Environment and it concerns his statement in the Legislature yesterday about the presence of dioxin in the waters of Lake Ontario.

Now that the minister has established the presence of either 2,3,7,8-TCDD, or total dioxins, in Lake Ontario, can he inform this House whether his ministry has yet established, or is in the process of establishing, guidelines either for the total family of dioxins or for the most deadly of that family, 2,3,7,8-TCDD?

If the minister has set or is about to set guidelines in that connection, can we assume he will be guided by the report issued in November 1980 by the International Joint Commission? That report recommended in this critical area that "for the protection of all life forms, 2,3,7,8-TCDD should be absent from all compartments of the ecosystem, including air, land, water, sediment and biota."

Can we assume that will represent the minimum of his guidelines with respect to the most toxic and dangerous of that family of dioxins?

Hon. Mr. Norton: Mr. Speaker, there is an implicit assumption in the formulation of that question which is not entirely accurate, and that is that we can say with any degree of certainty we have found dioxin present in the waters of Lake Ontario. What I indicated yesterday was that on the basis of the preliminary results of three tests out of a total of 22 taken at the same time, there was ultimately determined to be minuscule trace levels of dioxin in the sample as tested. It was impossible to determine the particular member of the dioxin family.

As to those minute levels, we are now talking about parts per quadrillion; we have taken another quantum leap. The scientific opinion is that it is possible the contamination, having been found in those three samples, might well have been introduced inadvertently through handling of the material. We did not come to a conclusion on that one way or the other. We are therefore proceeding to do confirmatory tests with even more highly concentrated samples of water.

With respect to human consumption, it is also important to bear in mind that samples taken from treated water as opposed to raw water from those same areas failed even down to a level of 0.005 parts per trillion, which is the detection level limit, to reveal any signs of dioxin in the drinking water.

As far as the question with respect to guidelines is concerned, the answer is that at this time there are no guidelines, but I have instructed staff to proceed as quickly as possible with our medical advisers and the best medical advice available to develop guidelines. We have recently completed the development of a guideline for

dioxin with respect to air, and we are the first jurisdiction in North America and, to the best of our knowledge, in the world to have such a guideline in place.

That covers the total family of dioxins as well as furans, and probably in the case of water it would do the same thing. The way we treat the standards that have been set with respect to air—and I would assume the same would be done with respect to water—is that we assume any evidence of the presence of dioxin involves the most harmful, in other words 2,3,7,8-TCDD, and the standards are based on that.

With respect to the air contaminant standards, a safety factor of 100-fold was built into the level initially, which is based on the results of extensive laboratory testing of this chemical on animals, plus a number of other safety assumptions that actually result in a several-hundredfold safety factor.

Is it possible to say we can guarantee, if in fact there are even five parts per quadrillion present in the water, that somehow it can be eliminated? I do not know whether that is possible, but I can assure the member it obviously will continue to be our objective.

Mr. Conway: Given the great public interest and the greater public concern that have developed as a result of his statement in the House yesterday about this very important environmental question, surely the minister will agree that he would not want to somehow downplay the knowledge that this most toxic of the family of dioxins is present in raw water in this province.

We now know dioxin is in the raw water of this province, specifically in Lake Ontario. We know it has been in fish. Yesterday the minister indicated that concentrations of dioxin and furan, which were 10 per cent above his guideline for ambient air, were detected at the solid waste reduction unit incineration plant in Hamilton.

Can the Minister of the Environment tell us whether he has tested other liquid waste incinerators, such as the Syntath plant in St. Catharines and the Tricil plant in Sarnia, for similar dioxin emissions, which have now been determined to be over his guidelines for ambient air in the Hamilton situation? Has he or his ministry undertaken similar such tests at those two places, St. Catharines and the Sarnia plant?

Why has it taken the minister so long to understand that this might be a problem, since he and his ministry have had reports now for two

years which indicated this kind of difficulty was very likely to arise?

Hon. Mr. Norton: First, I would not for a moment try to downplay the possible significance of the information included in yesterday's statement. By the same token I think it is incumbent not only on me but also on any responsible member of this Legislature to deal with matters of this nature in the most rational and factual way possible, and I implore other members to approach it in that way.

Any statements I have made with respect to the uncertainty about what it was we actually found because of the minute traces are not some effort on my part to shape the communication but, rather, are an effort to be as accurate as possible in relaying the best-informed opinion of the scientists who are involved in this exercise. If others wish to snatch on to a factual tidbit and exaggerate it into something that cannot be factually supported, then I have no control over that. I urge the member to maintain the discussion on a rational and reasonable basis.

2:20 p.m.

About the reference to the stack gas situation with respect to the solid waste reduction unit, we are in the process now of testing stacks. One of the reasons it has taken this length of time to produce these results is that once again we are breaking new ground. The methodology that had to be developed and the protocol of testing for trace levels of these chemicals in stack gases have taken 18 months or more in the evolution. It is now hoped our future tests can be done in a shorter period of time.

For example, on each of the individual tests that have been completed with respect to Swaru, there are some 100 parameters within that protocol. At each stage we had to develop the protocol in consultation with other scientists, not only within our own jurisdiction but elsewhere as well. So we are, in fact, breaking new ground. It does take time. We have to be as certain as possible that the protocol we are following is reliable and producing accurate information.

Mr. Charlton: Mr. Speaker, in relation to the minister's comments about the air guidelines that were set for dioxin and furan and his comments about the 100-fold safety margin, surely the minister is aware that one of his own staff—Mr. Martin of the air resources branch—does not agree with the guideline that has been set and said in his report to the environmental

assessment hearing in London: "Based on Dr. Harding's report, the guideline is certainly less stringent than the values I had tentatively suggested previously."

Based on what is obviously disagreement in the professional community about what might be safe and what might not be safe in terms of dioxin in air, and based on a very limited knowledge about the dangers of dioxin, and that in the case of Hamilton the Swaru plant has been operating for some 13 or 14 years, in past years far less efficiently than it is at present, will the minister ensure that some action is taken to go into the community surrounding Swaru and ensure the community by some kind of sampling process that there has been no health effect as a result of dioxin emissions over a rather lengthy period of time? Will he, as well, ensure that there will be regular monitoring of that stack from this point on?

Hon. Mr. Norton: First, Mr. Speaker, I think it important that the honourable member know who it is he is quoting. Mr. Martin is a lawyer—

Hon. Mr. Snow: That discredits him.

Hon. Mr. Norton: Dr. Harding happens to be one of this province's most expert people in the area of toxic contaminants. If the member chooses to take an offhand remark from a lawyer and place that in priority to the opinion of one of this country's leading experts on toxic contaminants, then let him go ahead. I would prefer to rely upon the advice of doctors.

Mr. Charlton: He is an engineer. Get your facts straight.

Mr. Speaker: Order.

Hon. Mr. Norton: I know John Martin; he is my lawyer. What is the member talking about? He also happens to be an engineer.

Mr. Speaker: Will the minister just address himself to the question, please?

Hon. Mr. Norton: He is an engineer who is a practising lawyer.

Mr. Speaker: Order.

Hon. Mr. Norton: There are some—
Interjection.

Mr. Speaker: Order.

Hon. Mr. Norton: We happen to have one in caucus as well.

Mr. Speaker: Now having established his credentials, will you apply your mind to the question, please?

Hon. Mr. Norton: Yes, but he is not a doctor. As I indicated yesterday, testing will be

undertaken immediately to do confirmatory work on the preliminary test results that I released yesterday. The member may wish to quibble about the safety factors included in the guidelines, but I can assure him the maximum possible safety factors were included.

Even though we have taken precautionary measures in terms of the 20 per cent reduction at the plant, and even if we take the most extreme results—the threefold test, the threefold exceedence—because of the 10 per cent overage in the previous year we are still talking about less than one per cent of the known level of dioxin that is productive of harmful effects on human beings.

Mr. Kerrio: Mr. Speaker, is the minister falling so deeply into the trap of diluting toxins rather than destroying them that he is never going to extract himself? Let us witness the fact that SCA Chemical Waste Services put in a pipeline with diffusers to get rid of the effluent in the lower Niagara River without a whimper from the minister or the government. That is obviously a method of diluting.

Is the minister going to continue to hide behind the dilution of these toxic chemicals, or is he going to take hold of that issue and do something about it instead of letting the dioxin leak in from the S-area site? He has threatened to do something about that, but he has yet to do anything. When is he going to protect the integrity of that river by doing something more than just dilution?

Hon. Mr. Norton: Mr. Speaker, I never advocated nor will I ever advocate dilution as the answer. Nor was I advocating that route in my response to the member for Hamilton Mountain (Mr. Charlton). Obviously we would all prefer to have a pristine, pure environment. If that were the case, the first step we would have to take would be to wipe every human being off the face of the earth.

Mr. Rae: Don't forget the killer trees, Keith.
Interjections.

Mr. Speaker: Order.

Hon. Mr. Norton: I am told it was a better place before Adam and Eve started fouling it up.

Mr. Kerrio: It happened in the past 40 years.

Hon. Mr. Norton: I remind the member for Niagara—

Mr. Speaker: Will the minister just reply to the question, please?

Hon. Mr. Norton: Yes, I shall, Mr. Speaker. He ought to be proud of the quality of the environment in this province because it is second to none anywhere in this world.

Mr. Speaker: New question; I would like to remind all the members that so far we have used up 18 minutes.

Mr. Kerrio: We still do not have an answer.

Hon. Mr. Norton: He never gives me a chance.

Interjections.

Mr. Speaker: Rather lengthy answers, indeed.
[Later]

Mr. Charlton: Mr. Speaker, I would like to correct the record. The Minister of the Environment (Mr. Norton) in his response to my question, suggested that Mr. Martin, of his ministry, was a lawyer. I would like to correct the record to show that Mr. C. B. Martin is a professional engineer.

Mr. Speaker: Order, please. The member can only correct the record for statements which were made by him and not by somebody else.

DEATHS AT HOSPITAL FOR SICK CHILDREN

Mr. Conway: Mr. Speaker, in the absence of the Attorney General (Mr. McMurtry) I will direct a question to the leader of the government. It concerns the unfathomable mysteries of that indescribable tragedy at the Hospital for Sick Children down the way from this building.

It concerns the statement made some days ago by the chief law officer of the government to the effect that he could not release the full report of the Atlanta group on the circumstances surrounding the deaths of those 28 children between the summer of 1980 and March 1981 because he did not want to pass a cloud over anyone there or outside and he did not want to impede the police investigation.

In view of the fact that the executive director of the hospital has been quoted today as saying it is grossly unfair that not even he nor his senior people have had the opportunity to look at the Atlanta study, and in view of the fact that Mr. Snedden was quoted as saying he is deeply distressed about the circumstances surrounding the recent events, particularly the Attorney General's handling of the events, can the Premier indicate how it is the Attorney General has not himself created the very environment he wanted no one else to create?

Will he give this House an undertaking today

that the full report of the Atlanta study group on this vital question will be released so that the clouds will be removed, the unfairness will be eliminated and some light will be shed on what is a matter of vital interest and concern to the public of this province?

2:30 p.m.

Hon. Mr. Davis: Mr. Speaker, I am aware of the concerns being expressed by some of the people at the Hospital for Sick Children and I have every sympathy with the concerns they are expressing. I also point out to the deputy leader of the Liberal Party of Ontario that in my view the Attorney General, in a very difficult and sensitive area, has handled this extremely well.

I cannot give any such undertaking here this afternoon. I have had no opportunity to discuss the matter with the Attorney General since I heard of the observations from Sick Children's. I can only assure the honourable member that this government is as concerned as any person in this House and I think has demonstrated this in terms of how this matter is being dealt with.

I have confidence in the direction and the route that the Attorney General is taking. It is a very awkward matter for him in terms of his judgement and the discretion that he must exercise. If the member was totally objective about it, he would sense the difficulty the Attorney General has with an issue of this nature and would be more supportive of him in the efforts he is making and the direction he is taking.

I would report to the House—not that the member would not be that upset about it, of course—that the Attorney General is not here, not because he anticipated some of these questions, but because he is indisposed because of ill health.

Mr. Conway: Accepting that this is an extremely serious, delicate matter, and accepting as well that some of the people centrally involved in this, the very people the Attorney General wanted to protect, are now crying out in anguish because of the circumstances in which he has put them, can the Premier explain how it is that in the last 24 hours no less a person than the Minister of Health (Mr. Grossman), who must be taken as having seen the Atlanta report, is able to say, and I quote the minister: "No specific person has been shown to be negligent through any of the investigations so far"?

How is it that we can have one minister of the government who has been exposed to the report saying that, which seems to square with much of

the police testimony in the past week? The Premier will recall that Superintendent Bamlett, before he resigned from the case, said he did not think there was much more for the police to do. Metro Police Chief Ackroyd, just in the last few days, said he did not think there were going to be any charges laid. Last night on television, the former crown attorney who prosecuted Susan Nelles said he did not think there were sufficient grounds for prosecution of anybody. Now the Minister of Health is apparently agreeing with that.

Why, in the face of all this evidence, can the Premier not give an undertaking to the people at Sick Kids and the members of this Legislature that the report in its entirety will be produced forthwith so that the air might be cleared and the clouds carried away?

Hon. Mr. Davis: I do not know how one carries clouds away. I can see them being dispersed or dispelled or what have you.

Mr. Riddell: The Premier should get to the point. That is irrelevant.

Mr. Speaker: Order.

Hon. Mr. Davis: I would ask the hatchet man, the member for Huron-Bruce, not to interrupt this conversation.

Mr. Riddell: Huron-Middlesex.

Hon. Mr. Davis: All right, Huron-Middlesex. I apologize to the member for Huron-Bruce (Mr. Elston).

I would say to the deputy leader of the Liberal Party that I think this government has demonstrated its concern about and its support for Sick Children's hospital. When this matter first arose I can recall some of the rhetoric across the House, urging upon this government certain activity. I will not read back to the member or recall for him some of the things that were said. I can recall not the defence but the way the Minister of Health handled this in the initial circumstance.

I do not know anybody in this House who is more sensitive to and supportive of the Sick Children's hospital than the Attorney General. But the Attorney General, it will come as a shock to the member, has a certain responsibility to perform. The member may question his judgement on occasion, as he has, but I say this very kindly, if I had to choose between his judgement and the member's there is no question as to whose judgement I would accept.

No one wants to prolong this issue, but I cannot give the member a commitment that in the absence of the Attorney General, who has

the responsibility for this matter, I can unilaterally say, "Yes, the Atlanta report will be produced forthwith." I think that is an unreasonable request, it is unfair and probably does not demonstrate very mature judgement.

Mr. Rae: Mr. Speaker, I do not think the Premier will find any quarrel anywhere in this Legislature that this is a most difficult and sensitive question, one which has to be handled sensitively.

I also hope the Premier will recognize that there are now a number of vested interests involved and the concern surely has to be not simply with protecting a number of people and protecting a number of interests, but to get at the truth of this matter as best we can and determine who was responsible—a difficult task, a very tough task, in some ways an unpleasant task, but one which has to be performed.

In that regard, this question goes beyond publicizing a report of the hospital or a report of the Atlanta study, or even the laying of certain criminal charges. Surely the question is, what happened in that nine-month period? Who was responsible for what happened?

If we cannot identify an individual who was responsible for a particular death—or a particular murder, if that is how it is to be characterized—why did it take so long for these facts to become public and for these facts to become known? Why did it take so long for the truth, as it has emerged in various ways and various forms, to come out?

In that regard I would ask if the Premier can make a commitment, not simply to this Legislature or to the hospital or the police force, but to the citizens of this province whose children have used, are using and will use the Hospital for Sick Children. Those are the people whose interests all of us ultimately have to protect. Can he give the assurance that there will be a public inquiry, a royal commission, which will determine responsibility and indeed culpability in this matter? Unless that is done there will always be the sense that the difficult and tough questions were not asked and were not answered.

Hon. Mr. Davis: Mr. Speaker, I think the leader of the New Democratic Party, if I heard him correctly, was indicating his support for, or understanding of—that is a better way of describing it—the reality of not producing forthwith the report that has been referred to. He has identified, as did the Attorney General, some of the obvious concerns and some of the answers that must be found.

If memory serves me correctly, I think I heard

the Attorney General say to the members of this House that he had not precluded various options. In fact, in a direct answer to the member's question as to whether the minister agreed that a coroner's inquest might not be the best route to go, my recollection is that the Attorney General agreed that a coroner's inquest, in the traditional form, would probably not be the appropriate route.

I sensed, as I listened to the Attorney General, that maybe a coroner's inquest with specific terms of whatever, might not be ruled out. All I am saying is that I think the Attorney General answered this question in the statement he made initially.

Mr. Conway: I have a final supplementary to the leader of the government in this really incredible world-class tragedy that, if one stops and reflects upon it over these past 28 months, boggles every mind to which it is exposed.

Would he not consider, if not for us then for the affected parties and the involved parents who, I want to say—at least those with whom I have spoken—are deeply distressed this very day about the circumstances in which they find themselves and are not at all happy with the discharge of the promises made to clear the air—will the leader of the government, failing as he has to give an undertaking to produce the Atlanta study, today give an undertaking to initiate a full royal commission so that this incredible world-class tragedy might be fully ventilated for the people of this province so they might understand what incredible set of circumstances brought it all about and who might be considered responsible?

2:40 p.m.

Hon. Mr. Davis: I sometimes enjoy the rhetoric of the member, other days not. I will not quibble with him as to what he defines as a world-class tragedy. The occurrences at the Hospital for Sick Children represent a tragedy. One does not have to describe it in any form other than that. To try to say it is world class, I do not know what a world-class tragedy is—

Hon. Mr. Ashe: The Liberals coming into power.

Hon. Mr. Davis: No, that would be a provincial tragedy, but not world class.

I say with the greatest of respect, I do not think there is anyone in this House who is not concerned; no quarrel. But to say that I have failed to agree with the member because he is expressing a point of view is relatively unfair. I am not failing to produce a report. I am saying

that in the judgement of the Attorney General, for some of the reasons that were outlined by the leader of the New Democratic Party, in terms of what the objectives must be, the Attorney General in his judgement at this moment has declined to release the report. Surely the member is prepared to accept that judgement at this point.

If he wants to debate it in two days' time, or two weeks' time, as to whether that judgement was justified or not, I think it is fair. But it is grossly unfair to say the Attorney General is in some way intentionally complicating the life of the institution or the lives of the parents. That is not the case. It will come as a shock to the member, but the Attorney General probably is not only as concerned as he is with this issue, but more concerned than he is, and is demonstrating a greater sensitivity to the parents, the doctors and the administrators than I sense the member would be prepared to demonstrate given similar responsibilities.

Mr. Rae: Mr. Speaker, on a point of order: I wonder if I might be allowed to respond to the Premier to make it very clear—and I hope he understands this because I do regard it as a matter of public importance—that in our party we do not regard a coroner's inquest as an appropriate vehicle for determining the truth in this matter. I just want the Premier to understand that.

Hon. Mr. Davis: Mr. Speaker, on the point of order, so I am not misunderstood, I did not say otherwise. I said, and I hope I can repeat it because it is an important issue, that I sensed the Attorney General said to the member yesterday that a coroner's inquest in the traditional way would not be appropriate.

NIAGARA RIVER POLLUTION

Mr. Rae: Mr. Speaker, I would like to ask a question of the Minister of the Environment concerning the announcement he made yesterday with regard to the discovery of dioxin in three samples of water in Lake Ontario. Yesterday the minister did his best to convey the impression that the ministry was right on top of things and there was really nothing to worry about. I can appreciate him having an interest in trying to convey both those impressions.

Nevertheless, I am sure he will appreciate the level of concern the announcement produced simply because, as I am sure he is aware, it is the very first time dioxin has been discovered in the Great Lakes and in Lake Ontario, in the water

supply itself, and I am sure the minister will appreciate it is a matter of tremendous concern.

One area the minister did not mention in his statement directly—and I am sure it is one which is in all of our minds—is, is he any closer to telling us the sources of this dioxin? Surely he will appreciate, particularly with regard to the announcement he made last night on the level of dioxin in the air as the result of the incineration of certain waste material, we all know the speculation with respect to the Hyde Park dump, the S area dump, the 102nd Street dump, and the Love Canal in the Niagara River area.

Can the minister tell us if he is any closer to identifying the sources? I am sure he will agree that until we can identify the sources we will not be able to eliminate this dreadful, poisonous substance in our water.

Hon. Mr. Norton: Mr. Speaker, if I might be permitted, first, to correct an erroneous assumption stated in that question, the three samples in which we believe we have found minute traces of dioxin were taken in the upper and lower Niagara River and one in a channel off the Welland Canal. There have been many samples taken from Lake Ontario and, to be precisely accurate, we have not detected dioxin in the water of Lake Ontario. In fact, out of 22 samples taken at the same time as these three, these are the only three in which parts per quadrillion of dioxin were present in the samples as tested.

As to sources, we obviously know of some. There are certain landfill sites and chemical dump sites on the Niagara River. There is conclusive evidence that they are leaching chemicals into the Niagara River. At this point, I do not know the source of the dioxin found in the sample as tested from the area of the Welland Canal. It is obvious it would not have come from the Niagara River.

However, with the increasing knowledge of the effects of combustion, in those minute traces it could conceivably have come from someone's fireplace. We are talking about combustion producing dioxin when chlorine, carbon and oxygen are present. Even in commercial paper, we find chlorine. Whether that particular combustion would produce dioxin, I cannot say for sure, but certainly if one burns paper one has the necessary components for the production of dioxin.

I cannot say with absolute certainty what the source is. There could be a myriad of possible sources within the normal functioning of society. I have asked my staff to look very carefully in that area and see if there is any possibility that

it is being produced, unwittingly, as a byproduct of an industrial activity. At this point we know of none, but we will be checking that out.

Mr. Rae: Surely if it was coming from somebody's fireplace we would have detected it well before now. I find that explanation from the minister implausible on the very face of it. Really, he undermines the impression I would hope he was trying to convey from his ministry that he is in charge and is not simply clutching at straws; that he has some instinct or some sense as to what change in the environmental world has led to the discovery of dioxin in the waters within the Great Lakes system, to use the minister's phrase with respect to the Niagara River and the Welland Canal.

Yesterday the minister indicated some satisfaction with the fact that while three samples had been found in raw water no samples of dioxin had been found in any drinking water in those three cities.

Rather than taking satisfaction in that, does the minister not think it is time the government started taking a little insurance and started taking a safety-first attitude with respect to the question of drinking water, and established at least an experimental station where state-of-the-art carbon filtration is at work in order to discover how effective those techniques are at eliminating dioxin? It seems to me it is better to do it before something happens rather than after. I am sure he will appreciate just how small an amount of dioxin in drinking water can be a real concern with respect to health.

2:50 p.m.

Hon. Mr. Norton: The member began by asking why we did not know before now if it came from those sources. The answer to that is really quite simple.

One of the things that is constantly changing is technology. Whereas it is possible that traces at this level of parts per quadrillion of dioxin have been present in our environment for a long time—I do not know, but it is quite possible—from sources such as combustion, what has changed very significantly is that, if one goes back to a year and a half ago, technology permitted us to detect dioxin at levels of one part per trillion approximately.

[Laughter]

Hon. Mr. Norton: Thank you very much. Pardon me. It is a serious question and my colleagues have—

Mr. Rae: I am glad the minister finds dioxin a funny subject. Perhaps he will share the joke.

Hon. Mr. Norton: I would be delighted to, if the member had a sense of humour.

Mr. Rae: I have a very good sense of humour.

Mr. Speaker: Now to the question, please.

Hon. Mr. Norton: Subsequent to our being able to protect it at that level, we improved the procedures to the point where we were able to detect dioxin at levels of one quarter of one part per trillion, and now the technology exists to detect it down to the level of five parts per quadrillion. That is a significant change. Previously, if these levels had been in a sample, we had no way of being able to detect them.

As to the member's comments with respect to drinking water, one thing these findings will enable us to do, provided we are able to corroborate the evidence and confirm that we found some dioxin in the raw water as opposed to its being introduced in the testing process, is, for the first time perhaps, to study how dioxin is transported in water. It is generally believed by scientists, by virtue of the fact that dioxin is not water soluble, that it is transported by way of being attached to suspended particulate. If that is the case, and that is the current scientific view—

Mr. Rae: Tell the Premier (Mr. Davis) to stay.

Hon. Mr. Norton: The member was asking me to take the question seriously. I wish he would take the answer seriously instead of being so concerned about where the Premier has gone.

If that is the case, then the present system of water treatment may be just as effective as any activated carbon filtration system in terms of eliminating that. To satisfy the member's interest in this, I can assure him we are in the process of doing work with activated carbon filters specifically dealing with dioxin.

Mr. Kerrio: Mr. Speaker, I am sure the minister would agree, or I might ask him the question pointedly, that in all probability this dioxin in the upper and lower Niagara River could possibly be coming from the S site. I have a two-part question.

First, will the minister tell us whether he has proceeded, as he promised to, on an intervention with the S-site contamination in the upper river, and at what stage his proceedings are at present.

Second, realizing that the city of Niagara

Falls, with the exclusion of Niagara Falls, New York, draws its water from very close to that S site, considering that Niagara Falls, Ontario, is taking its water from immediately above the falls through the Welland River, in the event that the minister is going to do ongoing monitoring, does he think he should focus on those sites where there is a probability that we might first detect danger and that Niagara Falls might be the site where he could be doing the experimenting that would take these toxins from the water people drink?

Hon. Mr. Norton: Mr. Speaker, it should be of some consolation to the member to hear that was what we were doing when we did these tests. Niagara Falls was one of the communities in which the water was tested and showed no detectable level down to five parts per quadrillion of dioxin. I can also assure him that will be part of our ongoing monitoring system in that whole region.

Mr. Kerrio: What about carbon filters?

Hon. Mr. Norton: At this point there is no indication of need for that step, although if there is any indication as a result of our ongoing and thorough monitoring, we will not hesitate to move on that.

With regard to the intervention, we have been ready to intervene since I announced it last fall. I have on a number of occasions been requested by the Canadian government to defer the intervention for a period of time pending the outcome of certain discussions that are going on between Canada and the United States. I agreed to do so in the hope that it might be productive. I do not have any hesitation in telling the member that to date I am not satisfied it is being productive, certainly not to the degree I had hoped.

I succeeded today—I have been trying for some time—in confirming that I have a meeting tomorrow with the Honourable Allan MacEachen, the Secretary of State for External Affairs for Canada, at which I hope to address and resolve this matter of the intervention once and for all.

Mr. Speaker: The noise of private conversations has reached an unacceptable level.

Mr. Riddell: It is all on the Tory side.

Mr. Speaker: Yes, it was.

Mr. Kerrio: It is Grossman campaigning.

Mr. Rae: In getting at the question of what is a safe level of dioxin, I am sure the minister is aware that in the summons and complaint for injunctive relief that was filed by the United

States government in the case, United States of America versus Hooker Chemicals and Plastics Corp., it was stated on page 10 that the official Environmental Protection Agency water quality criterion for 2, 3, 7, 8-TCDD for protection of human health is zero. The level of exposure to dioxin that can be expected to pose a cancer rate of one additional cancer case per million people is 0.000000046 micrograms per litre parts per billion.

I am sure the minister will also know that in that same brief it was stated that in addition, with respect to carcinogens, the maximum human health protection criterion is zero, to reflect the fact that it is the EPA's policy that there is no scientific basis for estimating safe levels of carcinogens.

Mr. Speaker: Question, please.

Mr. Rae: Given this policy position of the EPA, can the minister tell us what grounds he has for thinking the safe level of dioxin may be greater than zero?

Hon. Mr. Norton: I recognize that the Environmental Protection Agency in the United States has premised much of its work on the assumption that a single molecule of any carcinogen may cause cancer. In fact, the growing opinion in the scientific community, based on the research that has been done, is that this approach is probably not an accurate one. The growing consensus is that it is more realistic to talk about threshold levels.

I am not just spouting this as a result of wishful thinking. I am quoting the growing opinion among medical experts who have been working in or constantly reviewing the material that is being produced through research being done in this area.

As a result, the objectives set by the EPA will probably never be achieved. In the process of developing our standards here we will obviously take into consideration the work that has been done by the EPA, but we will also be taking into consideration the research that has been done since the EPA established its standards so that ours will, I hope, be the most advanced anywhere in the world.

Mr. Rae: On a point of order, Mr. Speaker: I had a question for the Premier. We were advised he would be here during question period. We then—

Mr. Speaker: That is not my concern or responsibility.

Mr. Rae: It is my concern, sir, and I think it

should be the concern of anybody who cares about question period.

Mr. Speaker: Order. Will the member resume his seat, please.

Mr. Riddell: On a point of order, Mr. Speaker: Since we are closing this session and starting a new one some time in April, I wonder if you could consider this point of order. When you see that questions are being duplicated, such as this one to the Minister of the Environment, could you not use your discretion and authority to rule—

Mr. Speaker: Order.

Mr. Riddell: Eight questions have been spent.

Mr. Speaker: Order. Will the member resume his seat?

Interjections.

3 p.m.

FARM BANKRUPTCIES

Mr. Swart: Mr. Speaker, I have a question to the Minister of Agriculture and Food relative to the rather desperate financial situation that many farmers find themselves in.

The minister will know that new figures released just two days ago show that farm bankruptcies are continuing to increase and that Ontario is still far ahead of all the other provinces in numbers.

Because those bankruptcies represent less than 10 per cent of the farms that fold for financial reasons and because the majority of those folding are owned by young farmers under age 40, this is a very serious matter.

Does the minister not think the time has come to bring in legislation to place a moratorium on all foreclosures on farm operations until a neutral tribunal can deal with each case? Such tribunals could consider proposals by farm operators for continuation of their operations, make arrangements for refinancing or delay of the debt payment.

Will the minister give a commitment to us on this last day that he will bring in such legislation at the start of the spring session?

Hon. Mr. Timbrell: Mr. Speaker, the member uses figures with which nobody can argue because one cannot prove them one way or the other. I know the member is fond of using figures like that, and understandably so, because nobody can challenge them. They have no basis in any facts to which one could point and on which one could argue. I will not belabour that point.

I would point out to the member that the farm assistance program we have now been operating for 14 months, for the cases that are brought to us and the over 3,500 that we have approved to date, in effect constitutes a moratorium on those individual cases, because whether the lenders are the banks—I know the banks are a favourite target of the member and I guess banks always have been and always will be a favourite political target; and they can look after themselves, I am not going to make a brief for them—or the trust companies or the credit unions, through this program the lender is brought together with the individual applicant.

We assist, whether through guaranteeing a new line of credit, and there has been an extensive use of that option; or through an interest rate deferral for six months, and there has been limited use of that option, I must say; or through the most frequently used option of interest rate reduction grants on outstanding debts, and I should say that now covers outstanding debts of more than \$650 million. In those cases we are helping those farmers with the co-operation of the lenders to retain or regain their viability.

We recognize there is a need for us to continue our efforts to help the individual farmers who find themselves in a difficult position. Recently both the Christian Farmers Association and the Ontario Federation of Agriculture have come forward with proposals for ways and means of helping individual farmers who are at the end of their credit line, so to speak. We have been meeting with them to discuss these matters, and I am meeting with the presidents of both federations within the next week.

In addition to that, I am in the midst of meeting with all of the banks to get from them two assurances:

First, that they will continue to treat agriculture as a priority-lending area. We have had every indication and every reason to believe that they will continue to think of agriculture as a high priority and are not prepared to pull out of it, but I want those assurances personally and I am going to meet with them to get those.

Second, to get their continuing co-operation to work with us, with the federations and, I hope, broader than that, to work with the Farm Credit Corp. nationally, if we can get them involved, to zero in on individual cases and be sure that everything possible is done; that the lenders are involved, that we are involved, perhaps Farm Credit Corp. too, in every case

where viability can be restored with the assistance of—

Mr. Speaker: Thank you, a very complete answer.

Mr. Swart: Does the minister not understand that what he is doing is not adequate when the number of farm bankruptcies are increasing—

Mr. Speaker: Question, please.

Mr. Swart: Mr. Speaker, “Does the minister not know”— is that not a question?

Mr. Speaker: Question.

Mr. Swart: Does the minister not know that what he is doing is totally inadequate when farm bankruptcies are increasing as they are? Ontario has a far higher share of bankruptcies than the other provinces in Canada for the number of census farmers that there are.

Does the minister not realize that the Ontario Federation of Agriculture financial advisory service is not in operation, that banks are cool to it? If the OFA is going to be effective in dealing with these, it needs moratorium legislation to back it up. Does the minister not think the banks and other mortgage companies have a responsibility to carry part of the load in these difficult times? Their profits have been increasing dramatically. With \$1.5 billion in 1982, they had the second highest profits they have ever had, just slightly down from 1981.

Mr. Speaker: Question, please.

Mr. Swart: Specifically, Ontario farmers’ net income is the same last year as it was five years ago, while bank profits have doubled. Why would the minister not institute a moratorium for a period of time and let the banks bear some of the economic load? Why does the minister think banks are sacrosanct but farmers should be subject to clobbering in all financial situations?

Hon. Mr. Timbrell: Mr. Speaker, as I said earlier, since time immemorial and for all time to come, I am sure banks have been and will be a favourite whipping-boy for the honourable member and his party.

I am not going to make brief for them; they can defend themselves. I just want to say to the member, we are talking about more than the banks. We are talking about co-operatives in this province that have substantial lines of credit extended, and these co-operatives belong to the farmer members. We are talking about credit unions which belong to the depositor members. We are talking about small, medium and large trust companies; and we are talking about a lot of little people who, in many cases, have sold

their farms and taken back mortgages which represent their entire life’s work.

I know that on the face of it a moratorium to some people—even if we had the authority to do it provincially and I do not believe we do—has some political sex appeal, but I want to submit to the member that in the long run the kind of process in which we are involved, where we are able to bring the parties to the table—and we have been able to help hundreds and thousands of farmers in this province to maintain or restore viability—that process is more productive in the long run than the kind of intrusion into lender-borrower relationships that the member proposed. Ultimately—

Mr. Speaker: Thank you. I will hear a supplementary from the member for Huron-Middlesex.

Mr. Riddell: Mr. Speaker, would the minister not agree that the Ontario farm adjustment assistance program was meant to deal with high interest rates? These have now dropped to levels which make that program really insignificant, by comparison, so that it does not help those farmers below 10 per cent equity, who are the ones in most need.

Does the minister plan to introduce a program that will deal with the real problem in the farm industry, that of increasing farm debt which has risen to such an extent that many farmers are unable to keep up the payments on past debts?

The member for Welland-Thorold (Mr. Swart) mentioned that the Ontario Federation of Agriculture is proposing to establish a financial advisory service to act as an Ombudsman between the farmer and his creditors, and will need financial assistance for this program. In view of the fact that other farm organizations have asked the minister to appoint a task force to decide what type of assistance should be provided to individual farmers, can the minister tell us what course of action he plans to follow to deal with these requests? What recommendations and proposals will the minister be making to the Treasurer (Mr. F. S. Miller), before he brings down his budget, to deal with Ontario farmers who are facing their loss of livelihood?

Hon. Mr. Timbrell: Mr. Speaker, to answer the first part of the member’s question, the program was initiated to deal with a number of problems, not just high interest rates. There was a concern that because of falling commodity prices, lines of credit would not be available.

I remember well what I think was the first

question the member asked me last year after I assumed this portfolio. He expressed concern over the rumours about the hundreds, if not thousands of farmers who were not going to have any line of credit and would not be able to plant their acreages.

3:10 p.m.

As the member knows, that did not come to pass. There probably were cases where it would have come to pass except for the existence of this program. While interest rates have fallen, I anticipate that in 1983 as much or more use will be made of the third option in the farm assistance program, which is the guarantee of new lines of credit to assure farmers of the ability to plant in 1983.

One of the things we keep coming back to is the need for a better stabilization program, and I think the member has recognized this in his comments here and outside this chamber and this capital city. I should tell the member one other thing I have done in that regard. He may know that two weeks ago the federal minister, in answer to reporters' questions at the annual meeting of the Canadian Federation of Agriculture, indicated that, while he had not even bothered to read the papers we had prepared on stabilization, he had a better idea. He went on to say his proposal would be ready in two weeks' time.

On Monday this week, I phoned the federal minister and said: "I was very interested in your comments and, taking you at your word, I have spoken to all the other ministers of agriculture in Canada. We are ready to meet with you in Toronto on March 1 to discuss your proposal and tripartite stabilization."

Mr. Riddell: Keep up the pressure. If you need my help, I will be there.

Mr. Speaker: Final supplementary; quickly please.

Mr. Swart: I know the minister is new to his portfolio. I know he is concentrating on his leadership aspirations, but surely he should have had enough concern to know mortgage contracts come under the jurisdiction of the provincial government. In fact, it passed moratorium legislation back in the 1930s. Will the minister consider moratorium legislation? If not, in view of the federal government's stonewalling on any joint help to farmers, what will the minister do on his own to assist the farmers out of the dilemma they are in?

Hon. Mr. Timbrell: To carry on with the subject I raised earlier, the member for Huron-

Middlesex (Mr. Riddell) said, "If you need my help, call me." I have been saying to my friend and a lot of the members for a year, they all have Eugene Whelan's phone number, Lalonde's phone number and Trudeau's phone number. Call them and tell them.

Mr. Speaker: I do not think that has anything to do with the question.

Mr. Riddell: We call him too, as much as you do.

Hon. Mr. Ashe: It does not do much good.

Interjections.

Mr. Speaker: Back to the question.

Hon. Mr. Timbrell: I would prefer that the meeting next Tuesday would result in the federal government showing us what it says is a better idea than what we have talked about to date among the provincial governments and the producers; in which case, if it is a better idea, it is the one we will follow. We are not going to stand on parochial provincialism. If they have a better idea and it is acceptable to the producers and the provinces, we can all live with it and that is what we will follow. If they have no policy or they—

Mr. Swart: It has been two years now.

Hon. Mr. Timbrell: I know that. Give me some credit that in the last year we have brought the matter to a head. We in Ontario have done more in the last year than anybody has been able to do in the last two years.

Mr. Swart: Nothing has happened. Where is the new program you promised?

Hon. Mr. Timbrell: What does the member mean, "nothing has happened"?

PETITION

MISSISSAUGA LAND DEVELOPMENT

Mr. Riddell: Mr. Speaker, I have a petition which further substantiates my allegation of a conflict of interest on the part of the member for Mississauga East (Mr. Gregory), the chief government whip. I will not say minister because I do not think he holds that honourable position any longer. It is to the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We, the undersigned, request that cabinet rescind its December 3, 1983, order in council which recommended a new Ontario Municipal Board hearing regarding Mississauga bylaw 288-80

as the statement approved by cabinet contained errors and omissions.

"We also request cabinet support bylaw 288-80, as did the area residents, Mississauga city council, the Ontario Municipal Board and the overwhelming evidence and testimony submitted to the Ontario Municipal Board hearing and cabinet."

I support this petition signed by 172 concerned citizens in the member's area.

Hon. Mr. Gregory: Mr. Speaker, on a point of order: It is not my riding. The member should know that.

Mr. Riddell: I know it is not your riding but people in your area—

Hon. Mr. Gregory: If the member has any allegations to make about conflict, why does he not make them outside the House?

Hon. Mr. Bennett: Step outside.

Hon. Mr. Gregory: It was a cheap shot. That is all you are.

Mr. Speaker: Order.

Hon. Mr. Gregory: On a point of privilege—

Mr. Speaker: Order, please. Will the member resume his seat, please?

CORRECTION OF RECORD

Hon. Miss Stephenson: May I please correct the record? In the debate last evening, there is on page 2050-1 of the Instant Hansard, page 19, in the third line of the first paragraph the statement, "has increased by 500 per cent." That should be \$500 million, not per cent. In the sixth paragraph, it should read, "an increase in assessment of approximately 70 per cent so that the local taxpayer has not borne an unduly large increase" In fact, the average mill rate increase during the past decade has been of the order of 114 per cent for the taxpayers across the province.

Mr. Foulds: Were those the minister's own statements she was correcting?

Hon. Miss Stephenson: Yes.

MOTIONS

STATUS OF BILLS

Hon. Mr. Wells moved that notwithstanding the prorogation of the House, upon the commencement of the third session of the 32nd Parliament, Bill 7, An Act to incorporate the Toronto Futures Exchange, be deemed to have been introduced and read the first time, be deemed to have been read the second time and referred to the committee of the whole House,

and that Bill 174, An Act to provide for the Removal of Certain Waste from the Malvern Area, be deemed to have been introduced and read the first time and that the debate on the motion for second reading be deemed to have been adjourned.

Motion agreed to.

STATUS OF REPORTS

Hon. Mr. Wells moved that notwithstanding the prorogation of the House, the following government orders on the Orders and Notices paper dealing with committee reports, be placed on the Orders and Notices paper on the second sessional day of the third session of the 32nd Parliament, as follows:

Resuming the adjourned debate on the motion for adoption of the recommendations contained in the final report of the select committee on pensions;

Resuming consideration of the report of the standing committee on procedural affairs on proposals for a new committee system, 1980;

Resuming the adjourned debate on the motion for adoption of the recommendations contained in the report of the standing committee on social development on family violence: wife battering;

Resuming the adjourned debate on the motion for adoption of the recommendations contained in the 1982 report of the standing committee on public accounts.

Motion agreed to.

PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Wells moved that notwithstanding the standing orders of the House, the order of precedence established by ballot in the first session for private members' public business be continued in the third session.

Motion agreed to.

COMMITTEE SCHEDULE

Hon. Mr. Wells moved that the standing committees on procedural affairs, public accounts and social development, and the select committee on the Ombudsman be continued and authorized to sit during the interval between the second and third sessions of the 32nd Parliament in accordance with the schedule of hearings agreed to by the three party whips, as tabled today, and that the standing committee on procedural affairs and the standing committee

on public accounts be authorized to adjourn from place to place.

Motion agreed to.

3:20 p.m.

COMMITTEE SUBSTITUTIONS

Hon. Mr. Wells moved that the following substitutions be made: on the standing committee on social development, Mr. Cureatz for Mr. Runciman; on the standing committee on public accounts, Mr. Villeneuve for Mr. Kennedy and Mr. Mackenzie for Mr. Cooke; on the select committee on the Ombudsman, Mr. Hennessy for Mr. Gordon and Mr. Lupusella for Mr. Philip; on the standing committee on members' services, Mr. Cassidy for Mr. Mackenzie.

Motion agreed to.

RESPONSE TO WRITTEN QUESTIONS

Mr. Conway: Mr. Speaker, on a point of order: I do not want to belabour the point, but I thought that perhaps the government House leader, as he proceeded today to tidy up a number of end-of-session items, would be rising in his place, and perhaps he intends to before prorogation later today, to deal with a subject of some genuine irritation on this side of the Speaker's dais.

The fact is that, as of this date, there remain scores of unanswered questions standing in the names of many members of this assembly. Some of them are as old as September 1982. I have indicated on at least two earlier occasions during this past part session, beginning on February 3, that, while we did understand that in some cases some of the material might be a little difficult to gather together in a two-week period, we found it passing strange, to say the very least, that five months was required for not one but literally scores of those questions.

I say, as I resume my seat, I have listened intently in recent days to the government House leader with respect to how we should go about our business in conformity with the standing orders. He has invited us to consider certain reforms that we may or may not proceed with. Would he give a commitment this day that those questions, or the vast bulk of those questions, standing in the names of members of this assembly, will be dealt with before prorogation, as is called for by standing order 81?

Hon. Mr. Wells: Mr. Speaker, it is very interesting that in the first session of this 32nd Parliament we had 283 questions. In the second session we had 711 questions. That is 428 more

than we had in the first session. According to my information, and I did a quick check, we have answered about 75 per cent of them in one way or another, that is, about 530.

I appreciate the points raised by my friend. We want to comply with the standing orders but everyone has to realize that those standing orders were drafted at a time when the thought of 700 to 800 questions was probably not even considered by anyone in this House. We are coping with that particular problem. I am going to table some answers now, and I will have more answers to table before this House finishes tonight, if it does.

ANSWERS TO QUESTIONS ON NOTICE PAPER

Hon. Mr. Wells: Before the orders of the day, Mr. Speaker, I am tabling the answers to questions 278, 523, 524, 526, 527, 528, 530, 531, 533, 693, 703, 704 and 705 [see Appendix A, page 7971].

RESPONSE TO WRITTEN QUESTIONS

Mr. Conway: On a point of order: I want to indicate very quickly that the reason for the growth in these questions can be explained in large measure by the delay in the freedom of information legislation—

Mr. Speaker: Order. That is not a point of order.

Mr. Conway: It is very important, Mr. Speaker—

Mr. Speaker: Order.

Mr. Conway: —for the government House leader to know that telling us—and I think this is in order—

Mr. Speaker: No, it is not. It is not a point of order. The member will please resume his seat.

Mr. Conway: I think for the government House leader to answer our questions by saying he does not have sufficient research material to get these answers is totally improper and out of—

Mr. Speaker: Order.

Mr. Foulds: Mr. Speaker, I have a point of order with regard to question 535. This is the third day in a row I have had to rise on a point of order. That question has not been tabled by the House leader at this moment, although the interim answer indicated that the information would be available on November 29. I want to know what the hell is holding up that answer.

Mr. Laughren: Mr. Speaker, on a point of order: Does the House leader intend before we prorogue to make a statement explaining why his government misled the injured workers of this province into believing their problems would be dealt with this spring?

Hon. Mr. Wells: Mr. Speaker, it is my understanding that the matter my friend is referring to has been the subject of hearings by the standing committee on resources development, and it is intended that this committee conclude those hearings some time in the spring.

It is also my understanding that the committee met and decided it would not be meeting in the interval between the second and third sessions. I think the committee is charged with deciding its business, and it came back to us and decided not to.

Three or four other committees came back and asked if they could meet, and we obliged by putting the necessary motions here.

Mr. Laughren: On a point of privilege, Mr. Speaker: I really do think it needs to be said that the reason the committee did not sit was that this government has decided there shall be no workers' compensation—

Mr. Speaker: Order. That is not a point of privilege, with all respect.

ORDERS OF THE DAY

MUNICIPALITY OF METROPOLITAN TORONTO AMENDMENT ACT

Hon. Miss Stephenson moved third reading of Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act.

Hon. Miss Stephenson: Mr. Speaker, I am pleased this bill has finally reached this stage; and I would like to thank, at this point, all of the members of the Legislature for their very conciliatory attitude in attempting to resolve the problems that were related to the development of the bill.

The bill has been significantly amended as a result of the many long hours of hearings that were carried out and were heeded carefully. It is our sincere hope the members of the House will pass the bill this afternoon.

Mr. Bradley: Mr. Speaker, I do not share the minister's glee at the fact we have reached the third reading stage of Bill 127, and I intend to make a number of remarks about it in regard to why it should not be approved in its very final stage, which I understand third reading does deal with.

In setting out the case for not finalizing this bill I want to indicate for a brief period of time some of the history of this piece of legislation. I recall, first of all, the rumours that were circulating in the spring of 1982 that the minister was contemplating legislation that would have a marked effect on the collective bargaining process in Metropolitan Toronto and on the financing process in Metropolitan Toronto as it relates to education.

On one particular day in the Legislative Assembly, and that was May 28, I stood in the House to direct a question to the Minister of Education in which I made a plea for her not to introduce what turned out to be Bill 127. Because it is not a long exchange, I want to refresh the memory of those members who are in the House today and share with them the question and the answer I received at that time.

"Mr. Bradley: Mr. Speaker, I have a question for the Minister of Education. Now that she has received representations on a continuing basis from various groups that would be directly or indirectly affected by any proposed changes in legislation which would be designed to change the teacher-board negotiations process in Metropolitan Toronto, including the discussion within her cabinet, would she assure the House that she is prepared to abandon any plans she had to introduce legislation to bring about compulsory joint bargaining by panel and compulsory regional negotiations by panel in Metropolitan Toronto?"

"Would she not agree, as the Minister of Industry and Trade (Mr. Walker) often says, that if one were to introduce such legislation one would really be fixing something that is not broken?"

"Hon. Miss Stephenson: No, Mr. Speaker, I would not agree, nor would I agree not to do what the honourable member suggests I should not do."

3:30 p.m.

Then I asked a supplementary question:

"Would the minister feel that by introducing this legislation she is going to allow the following problems to be addressed: Protecting the rights of an employing board and its teachers to negotiate something that is unique to the needs of that education system; or sheltering the priorities of a small branch affiliate or a single small board from the overwhelming needs of a larger entity; or another issue that arises from this, the sensitivity of the large metropolitan school boards to local needs when its members

are not directly elected by the people who would be affected by these decisions?

Hon. Miss Stephenson: All of those matters have been addressed acutely and sensitively."

So her answer at that time was "No." In fact, she rose at the end of the question period, just after the member for Welland-Thorold (Mr. Swart) indicated his dissatisfaction with an answer he received from the Minister of Energy (Mr. Welch), and went on to introduce this piece of legislation. That was when the battle over Bill 127 began in this chamber, continuing later in the standing committee on general government and then back in this chamber.

I expressed those concerns at that time. Then at the beginning of the spending estimates of the Ministry of Education—I guess we were in the standing committee on social development at that time—I reiterated the opposition of the Liberal caucus to Bill 127 and expressed a desire to have public input on the bill before the minister moved along the legislative process. Much to our regret and disappointment, the Conservative members of the committee defeated a motion to follow this course of action.

Even though I say it was much to my regret and disappointment, it was not much to my surprise because that has been the tactic of this government since it regained its majority on that famous date of March 19, 1981, which the Premier (Mr. Davis) reminds us of on every possible occasion—although I understand the members of the government party have been told recently not to refer to that lest the government be labelled as arrogant.

At a later point in discussion of the estimates, I expressed our insistence that Bill 127 be sent to a committee of the Legislature for public hearings subsequent to the second reading of the bill, with such hearings to take place in September 1982 and with provision for some evening sessions to make the committee more accessible to the public.

Eventually the minister very reluctantly capitulated to our demands when we got down to the last days of what we called the spring session, even though we were into the summer at that time.

Mr. Shymko: They weren't just your demands.

Mr. Speaker: Order, please.

Mr. Bradley: I want to have the honourable member on record, because I want to congratulate him on his vote in opposition to second reading of the bill. It was not only the demands of the Liberal Education critic. My friend the

member for Oakwood (Mr. Grande) was in support of our position, and the member for High Park-Swansea (Mr. Shymko) certainly wanted to have those hearings. I want to put that on the record, because the only person on the government side who has actually voted against the bill is the member for High Park-Swansea.

Mr. Foulds: Welcome aboard, Jimmy.

Mr. Speaker: Back to the bill.

Mr. Bradley: Getting back to the bill—

Mr. Foulds: Come on, Jimmy. Be factual.

Mr. Bradley: I am not answering the interjections. We all recall that my question was first on this, asking her not to introduce this legislation. The member for Oakwood and I have worked in such a compatible manner on this that I will not respond to the interjections of the member Thunder Bay or Port Arthur (Mr. Foulds) or both.

Mr. Foulds: Do you know the difference?

Mr. Bradley: There is a big difference.

On Wednesday, June 23, 1982, the second reading of Bill 127, which as we know is the approval in principle, commenced in the Legislature. At that time, I outlined in a somewhat lengthy speech the reasons for our opposition to the bill and the real concerns of our caucus about its ramifications. I was joined by other members of our caucus who conveyed their lack of support for this legislation in addresses to the assembly. Members of the third party were vociferous on this at that time as well.

At the conclusion of the debate on second reading, our members and members of the New Democratic Party stood to formally vote against the bill and to force it to the standing committee on general government, where public hearings were subsequently held. During those committee hearings, which began in the first week of September, a very large number of groups and individuals made representations and submitted briefs. I believe it would be fair to conclude that an overwhelming majority of those who made submissions were opposed to Bill 127.

To ensure that as many people as possible would have the opportunity to appear before the committee, I moved a motion which resulted in an extension of the period of time allotted for public hearings. While the Progressive Conservative members of the committee were extremely reluctant to provide additional time for this purpose, a compromise was eventually reached and the hearings were extended.

The member for Oakwood will recall that at that time he and I advanced suggestions and

eventually, kicking and screaming, the Tory members of the committee finally agreed to them. No doubt, my friend the member for High Park-Swansea put in a good word for us as well.

Mr. Shymko: Is the member lost?

Mr. Bradley: I am trying to recall the member's riding. I think I was correct.

Mr. Speaker: That is right.

Mr. Bradley: At the October 6 meeting of the standing committee on general government, I moved that the committee hearings be extended further in order that those who had asked to appear before the committee, but had been denied the opportunity to do so, would have the chance to participate in the democratic process by making a submission in person. Unfortunately, the Progressive Conservative members of the committee refused to co-operate and denied these people the right to participate in the hearings by defeating my motion.

At the conclusion of the period of time allotted for the hearings, and on the day scheduled for the beginning of clause-by-clause study of the bill, I moved that the committee not deal with Bill 127 at that time and supported my motion with a number of key arguments. To my surprise and anger, the chairman of the committee ruled the motion out of order and refused to allow any debate on it. In the view of the opposition members of the committee, this amounted to a form of closure.

During the October 13 sitting of the committee to which I have made reference, clause-by-clause study of the bill began and an extensive debate took place on the individual sections of Bill 127 and the amendments that were put forth. The Liberal members of the committee indicated their strong opposition to almost all aspects of the bill. On their behalf, I introduced amendments which would have had the effect of deleting the offensive sections.

Naturally, the Progressive Conservative members of the committee voted en masse to defeat all those amendments and to approve only those changes proposed by the Minister of Education, as well as to defeat all the amendments proposed by the critic for the New Democratic Party, save one amendment that we all agreed to in the committee as a compromise amendment; which the minister attempted to withdraw later in the House, or to do a complete flip-flop.

In addition to these initiatives taken by the opposition—and I am speaking this afternoon for our party specifically—we continued to ask questions in the House. When the debate came

forward late last fall and early winter of this year, we continued to speak, I think in a very detailed fashion but also to the relevant parts of the bill. We found this a useful exercise only to a certain extent, because it was also an extremely frustrating process.

I am just reading one of these secret notes that has been handed to me. It will have some relevance to what I have to say although not to the length of time.

We then found that the vehement opposition we expressed to Bill 127 was largely ignored by the government, although it has certainly paid the price in the length of time it has taken to put this bill through the Legislature.

Our vehement opposition to Bill 127 stems largely from our belief in local autonomy and our view that this bill represents an assault on local autonomy in teacher-board negotiations in Ontario and in certain aspects of the financing of education at the local level in Metropolitan Toronto. In our view, at the very least this is an experiment in regional negotiations and at worst a prelude to regional negotiations throughout Ontario or even, perish the thought, to province-wide negotiations.

It is the view of the Ontario Liberal caucus that the minister was attempting to fix something that was not broken, to tamper with a system that on the whole was working quite well previous to the introduction and, if it comes about, final passage of this bill.

3:40 p.m.

Another motivation we saw in the minister's introduction of this bill was her desire to put the reins on the Toronto Board of Education. We remember the articles in the various newspapers that indicated the minister's disdain for certain members of the Toronto Board of Education, expressed openly, and it is our view that what she wants to do is to put them in their place and ensure that everyone knows who is boss. The Minister of Education, through the Metropolitan Toronto School Board, will be able to do that.

Some people see Bill 127 as yet another example of the Ministry of Education attempting to centralize control of education in this province. We certainly see it as that. We saw evidence of it in Bill 46. We see evidence of it in the proposals—or nonproposals, whatever the minister wishes to call them—in regard to the pooling of assessments.

What she has done is to introduce an element of compulsion to the negotiation process: compulsory joint bargaining by panel and compul-

sory regional bargaining in Metro Toronto. At present, through agreement and co-operation—and I emphasize that: through agreement and co-operation—the teacher-board negotiations have been working quite well. We have joint panel and regional negotiations taking place.

To introduce a mandatory aspect to negotiations is repugnant not only to the teachers but also to others who are concerned about this process of collective bargaining between teachers and boards of education in Metropolitan Toronto. There was evidence last summer that even the thought of the bill's passing had an adverse effect on the negotiations that were taking place at that time.

I could go on to speak about the details of the bill, but we have gone over them many times in this House. I will allow members not to have me go through them, but I want to look at several other aspects of the bill.

One of the things the minister has done by introducing this bill and pursuing it as she has is to bring together groups that heretofore perhaps were not as close as they had been in the past. I am speaking specifically of representatives of the teachers' federations and the branch affiliates who have been working in conjunction with parents' groups within Metropolitan Toronto in opposition to this bill.

On some occasions, and certainly in the initial stages of meaningful parental involvement in education, there may have been some reluctance on the part of certain members of the teaching profession to see teachers involved to the degree they are. I think the experiment in this has been quite successful; indeed, the minister through necessity has even driven the two to work together in opposition to this bill. I suppose this is one beneficial effect of the bill, even if it is a back-handed benefit to be derived from the introduction of this bill.

We look at the approach, by the way—and members of the House will appreciate this—to what took place in this bill as compared to what took place in Bill 179 with respect to the government imposing closure. In Bill 179 the government imposed closure both in committee and in the House on the basis of the fact that we had been dealing as a Legislature and as a committee with some very trivial points, in the view of the government, at the very beginning of the bill—working on definitions, not dealing with substantial amendments to the legislation in any way.

The government used this as an excuse to bring down the hammer of closure, and the

news media and the general public by and large probably looked at that debate and said, "Well, the government seems to have a pretty good case in view of the fact that the bill is not proceeding at all."

To attempt to use that excuse in this debate is simply not acceptable, since both of the parties in opposition dealt with what I call the heart of the bill, the major portions of the bill, in a very meaningful fashion with some good speeches, with some excellent supporting material—not only the critic of the New Democratic Party and the critic of the Liberal Party but also those other members who have either a peripheral interest in education or a direct interest in affairs in education in Metropolitan Toronto.

So this excuse simply did not hold up, and I think the charge by members of the government that the opposition has been unduly lengthy and trivial in its debate is a charge that will not stand up when we look at those items that were being discussed in great detail and at what ultimately happened.

There have been some good articles written on this in various newspapers. There have been some stories on television and on radio, although not as much as we felt was merited in this case.

For some time, in the view of editors—those who decide what actually gets in the papers—it seems education has not been as much of a high-profile thing in the past couple of years as it was at one time. A number of people in Metropolitan Toronto may not even have known Bill 127 existed for a while by reading the newspapers or dealing with the electronic media in the early stages of Bill 127. It was only when parents got deeply involved, when there was a campaign carried out in a public way against this bill, that some people began to recognize it existed.

But there were some good articles written. I want to quote briefly from some of them. In many cases I want to read the whole article, because there have been some good articles written on this. They are on both sides. Since we are the opposition, I am going to deal with the ones opposed to the bill. That is expected. I expect the minister or whoever might speak on the government side will deal with those that are favourable to their position.

The Deputy Speaker: The member will keep in mind, of course, always to centre his comments on why the bill should or should not be read a third time.

Mr. Bradley: That is right. That is precisely what I am trying to do.

Mr. Sweeney: That won't be hard. The minister has given us lots of scope.

Mr. Bradley: I am trying to convince the House of this.

Mr. Conway: The question is, will the Speaker be moved in line with the article in the morning paper?

The Deputy Speaker: In my unbiased position.

Mr. Conway: There is one move that we could certainly anticipate with some enthusiasm.

Mr. Bradley: Gordon Barthos, who wrote for the Toronto Star, had a very good column in the October 22, 1981, issue of the Toronto Star when he talked about the possibility—I think this should read “1982” but it is stamped “1981.” However, it is well back in the bill. It was headed “No Solid Case to Boost Metro School Board Power.”

I thought he made some good points in that article, and I commend it to the members of the Legislature who have a chance to go back and look it up, because it talks about many of the things the minister has brought forward.

He says: “In the past couple of weeks, Education Minister Bette Stephenson has sent a chilly fall draft through the hothouse of school politics in Metropolitan Toronto—and the sneezing has only just begun.

“After several years of dickering, Stephenson has served notice that the time is ripe for a change in the way education decisions are made in Toronto area schools. The minister is proposing to give the central Metro school board the exclusive power to hammer out collective agreements with teachers across Toronto. At present, the responsibility rests with the area's six local school boards, which may—or may not—delegate it to Metro.”

He started off with that premise. As we got into the bill, we recognized just what circumstances would arise from the bill. While we might not agree it was precisely this, he was pointing in the right direction when he said there was a desire to move more power to the Metropolitan Toronto School Board and away from the local school boards.

Hon. Miss Stephenson: He was shooting with a scattergun.

Mr. Bradley: The minister is the last one to lecture anybody on scattergun arguments being made in the House, because she is a master of that when the time calls for it.

He goes on to say: “Predictably, Stephenson's proposal has been sharply opposed by at least one board, the Toronto Board of Education.

Centralizing power in the Metro board's hands, the Toronto trustees argue, would sound the death-knell for the close ties that exist between local school boards and the communities they serve.

“Because of its importance and controversiality, Stephenson's proposal isn't one that should be implemented without a full public debate.

“At issue is the sort of school system that Toronto residents want to have. The basic question is whether decisions that affect six school districts, 300,000 pupils and hundreds of schools should remain somewhat decentralized in the boroughs' hands”—as they have been in the past—“as they are elsewhere in Ontario, or centralized at a Metro-wide level.

“The power to negotiate those nonmonetary contract clauses often misleadingly called ‘secondary’ clauses is a real power and one which literally shapes the face of Metro's school boards.”

He goes on to make a good case against the implementation of Bill 127, one which I know members of this House are interested in when they think of whether they want this bill to proceed through the third reading stage. I know the Speaker today would want me to make reference to that.

3:50 p.m.

I do not believe that when the minister introduced this bill she was aware, nor were the members of the government aware, of the degree of opposition she would encounter. I do not think she was aware that the members of the official opposition and the members of the third party would see this as being so important an issue that they would spend the time, effort, energy and research they have on this bill. She has been surprised by that, as I am sure her colleagues have been surprised; the depth of feeling is great.

When we fight this kind of battle, we see it is not a battle that is in the forefront in terms of public consciousness, particularly in the early stages. It is not one that generates a good deal of media coverage until its late stages. It is difficult to fight those battles, to go on, except when we believe that what a minister and government is doing is going to be damaging to one section of that government and one section of our society. In this case, I am referring to the education system. I do not believe either the minister or the government were aware of the breadth or the cross-section of people who were opposed to Bill 127.

That opposition has been characterized, and

I have said this in other parts of the debate, as essentially coming from a small group of downtown Toronto radicals, the school board and some of the people who work closely with it, and the more radical members of the teaching profession. That is the way the minister has characterized the opposition to this bill. No doubt that is how she sold it to many of the members of the governing caucus, by saying that is the kind of opposition, and nobody cares about it but those people.

Of course there are those in certain positions who have given further ammunition. I well recall, before a by-election that took place in York South, a letter went out to the secondary school teachers in Metropolitan Toronto, a letter that was well circulated and certainly discussed publicly. It provided further ammunition for the minister at that time to say to her caucus: "You see where the opposition is coming from. It is obviously from one particular group of radicals." She completely misread the fact that the opposition has come from people in all walks of life in Metropolitan Toronto.

Hon. Miss Stephenson: No. I am not quite that dull, thank you.

Mr. Bradley: She shakes her head "no." Look at the lawn signs. In another Toronto Star article by Louise Brown, on February 17, 1983, headed "Bill 127 Sparks True-Blue Anger in Torontown," there is a photograph captioned "Dooney Gibson, who votes Conservative, hammers sign into her lawn to protest against Tories' Bill 127, a package of sweeping changes to Metro's school system."

Hon. Miss Stephenson: What about a couple of very good Liberals who appeared before the committee and who were totally in support of it?

Mr. Bradley: Sure, there are a couple who did. I could say there is a very prominent New Democratic Party woman in Scarborough, a chairman of a board of education who also did, but that does not mean that those of us who sit—

Hon. Miss Stephenson: She is in strong support of Bill 127.

Mr. Bradley: What is her name again? Anyway, that is not the point. Despite the fact that there are a few in the realm of Metropolitan Toronto from other parties who have indicated some support, I am pointing out the depth of support and the breadth of support for our position, the position of the Liberal Party and the New Democratic Party, on Bill 127 and the fact that I think the government misread it.

The Minister of Health (Mr. Grossman) and

the Attorney General (Mr. McMurtry) were particularly prominent because, whenever there were questions asked in the Legislature or something became uncomfortable, they would sit there and giggle and bump each other's elbows and so on. Of course, everyone knew they were opposed to the bill. When they saw all these signs springing up, particularly on some lawns that were lawns of people who normally supported them, I think they recognized the degree of opposition to this bill that exists in Metropolitan Toronto. Those people were all saying to us, "This bill should not be called for third reading," and they would be interested in this debate.

I could read this article into the record but, rather than do that, I will simply commend it to the members opposite, who I know will be interested in looking at it even though they have now made the decision to support the bill.

I mentioned—and this is important to the whole atmosphere surrounding this bill—that it brought the teachers and parents together. There is one comment that disturbs me, as I know it will all members of the opposition, because the minister is placing greater powers in the hands of the Metropolitan Toronto School Board. It is a quote from John Tolton, chairman of the Metro school board. It is the kind of inflammatory remark he makes. This is from an article by Louise Brown on February 22, 1983, in the Toronto Star:

"But John Tolton, chairman of the Metro school board, which supports Bill 127, says, 'Teachers put up the money for the campaign against Bill 127 and got the parents involved by telling them a lot of mistruths about the bill.'"

If the chairman of the Metropolitan Toronto School Board is going to make statements of this kind, it is little wonder that both the parents who are opposed to this bill and the teachers in Metropolitan Toronto have a great fear of that board having greater control over education in Metropolitan Toronto. It is justified.

I read into the record yesterday an article that appeared in the Sunday Star by David Lewis Stein, headed "Bill 127 Is Bad for Everybody." It is probably the best piece I have seen on this bill.

Hon. Miss Stephenson: You won't mind if I chortle loudly.

Mr. Bradley: The minister smiles. It best captures what we in the opposition have been saying about this bill. It is the truth.

Mr. Havrot: How about some excerpts from Claire Hoy's columns?

Mr. Kolyn: Laura Sabia's great.

Mr. Bradley: Well, those are two good people to quote on education.

He had also written one on September 19, 1982, called "The Politics Behind Ugly Bill 127," where he talked about the minister's desire to clip the wings of the Toronto Board of Education. Once again I am desirous of reading it into the record, but I want to ensure that others have an opportunity to speak this afternoon and I will forgo that, although I commend it to the reading of the government members.

There are two Toronto Star editorials, one on June 21, 1982, called "Applaud Education Bill," and one dated February 7, 1983, called "Scrap Ontario Schools Bill." Both of those are excellent. I commend them.

Hon. Miss Stephenson: Quote the Globe and Mail editorials.

Mr. Bradley: I know the minister will quote the Globe and Mail editorials on this subject. She dares not quote them on other subjects because they have been very critical of her administration.

The Deputy Speaker: I remind the honourable member that maybe we should just all go and read the newspapers.

Mr. Bradley: That could be a good suggestion.

Mr. Havrot: Yes. Just send us a copy and sit down. Do us a favour.

Mr. Bradley: The minister of multiculturalism from Timiskaming is making interjections.

Mr. Havrot: Smart-ass.

The Deputy Speaker: Oh oh.

Mr. Bradley: I know the member would want to ensure that he does not make the kind of contribution he has inadvertently blurted out in the past and embarrassed his party.

Mr. Havrot: If you think you're making a contribution, you're kidding yourself. You are wasting the time of the House.

The Deputy Speaker: I would ask the member for Timiskaming to maybe go have a coffee.

Mr. Bradley: Well, he is interjecting. He does not want me to be snide, but it is fine for him to bark his nonsense way down there. He floats into the committee, toothpick in mouth, votes like a robot and then heads out. He does not understand the bill.

Mr. Havrot: It sure beats smoking.

Mr. Bradley: But I will ignore that, because I have great respect for you, Mr. Speaker, and I will ignore the interjections he made.

Mr. Grande: On a point of order, Mr. Speaker: If I heard the member for Timiskaming (Mr. Havrot) correctly, he used an unparliamentary word in this place and he should withdraw it immediately.

The Deputy Speaker: Funny you should mention that. I can remember being in the chair as Acting Speaker when the member for Sudbury East (Mr. Martel) used the same word in reference to the member for Wilson Heights (Mr. Rotenberg), and his argument was that it was used in the good book on a regular basis and that he was justified in using it.

At that time I decided to let it stand, I think. I have no other decision but to use that precedent, so well argued by the member for Sudbury East, and let the same comment stand.

4 p.m.

Mr. Bradley: I did not hear it, so I thank the member for Oakwood for drawing it to my attention.

Mr. Lane: He called you a jackass.

Mr. Havrot: I did not put a "jack" in front of it.

Mr. Bradley: Oh, I see. That is probably the kind of contribution that member is noted for in this House.

The Deputy Speaker: All right. Let us clean it up a bit. Now we have had it, let us just get back.

Mr. Bradley: If it came from another person I might be offended, but from that member I will not be offended.

I look at the three—if I may capsulize it—main objections we have to the thrust of this bill. The first is, it is an assault on local autonomy. It is removing from local boards of education the powers we feel they should have. If anything, we feel the minister should be moving in the opposite direction, giving more powers to the local boards of education and reducing the powers in the Metro board.

Second, we see it as having potential for reduction in the quality of education in Metropolitan Toronto through the kind of incentives it provides for limiting unneeded expenditures on education.

Hon. Miss Stephenson: Even the chairman of the Toronto board did not agree with that.

Mr. Bradley: I always like to hear the chairman of the Toronto board rather than hear her quoted by the minister. It comes through in a

little more accurate fashion when it comes directly from that person.

The third thing that is happening as a result of this bill is that the minister is poisoning the atmosphere in education in Metropolitan Toronto by unnecessarily bringing forward new enemies of the ministry, of the government and of others who are in authority.

We see it as a general pattern of centralization in Ontario. When the minister was out, I indicated that there were signs of this in Bill 46, that there are most certainly signs of this in her nonproposal, the nonproposal of Mr. Martin, for the pooling of assessment where she is attempting to get her hands on the last place she has not had her hands in terms of money, and that is on the municipal property tax. It is the only real generator of revenue for municipal governments.

She is attempting to get that money now and spread it across Ontario, instead of infusing new funds which are required, as she has allowed her percentage of the cost of education to fall from 61 per cent to 51 per cent in terms of what boards spend as related to the percentage her government pays. That went from 61 per cent to 51 per cent since 1975. We see Bill 127 as another step in that centralizing process.

We look at her confrontationist style in this bill and in her relationship to those parent groups, who disagree with her, and to the teachers' federations. Much has been written. Robert Matas of the *Globe and Mail* wrote a rather lengthy piece on the confrontation that the minister has had with the teachers' federations and the fact that they feel they have not had the kind of meaningful dialogue with the minister they were able to have with the previous minister. This bill is part of that confrontation she has carried on in her tenure as minister.

Despite the fact that this bill is obviously going through with the government majority—and there was never any doubt about that, because it has the majority with 70 members—we have, however, gained some victories through our lengthy debate and through our persistent argument.

We have gained that with the support of groups such as the Workgroup of Metro Parents and many other parent groups in Metro Toronto. We have done it with the assistance of the teachers' federations which have had their members come from across the province, most particularly from across Metro Toronto, to put forward their views and to watch the debates in this House. We have done it as two opposition

parties and perhaps with a little touch here and there from certain government members.

I think the biggest victory in terms of this bill alone has to be the forced abandonment by the Minister of Education of her amendment to subsection 6(4) dealing with—

Hon. Miss Stephenson: Which the Toronto board is not going to thank you for.

Mr. Bradley: We will hear from them in due course.

Hon. Miss Stephenson: You will.

Mr. Bradley: I will not accept the minister's quotation from them. I will want to hear it from them directly—the abandonment of her amendment, after some 10 hours of debate, eager to get through section 6. I am not yet convinced the minister knew she had lost her amendment. Did she know that?

Hon. Miss Stephenson: Yes.

Mr. Bradley: She says she did know. Okay, I accept her word.

Hon. Miss Stephenson: Do not say I say that I did, I knew that I did.

Mr. Bradley: I will accept her word. I will not get into that kind of argument with the minister at this time.

The minister says she knew what she was doing when she lost her amendment. It was all the more a victory for those of us in the opposition if she knew what she was doing when she lost that amendment, because it was a major concession. It now means that in the case of surpluses accrued, accumulated or incurred by individual boards of education within Metropolitan Toronto, they may now retain only that portion which is generated from the tax base within that municipality.

It removes some of the incentive, maybe a major portion of it, for those boards to incur those surpluses at the expense of important programs and projects in education. That is a major victory for those of us in the opposition who have been persistently opposed, and for those who have been here day after day and night after night in the public galleries.

Mr. Grande: Are you applauding, Jim?

The Deputy Speaker: Order.

Mr. Bradley: The member for Oakwood joins me in that. I appreciate his support in that regard.

On the discretionary levy, we had a minor victory. We would have preferred two mills as a discretionary levy. I advanced an amendment in that regard but it was defeated by the government.

The minister came in with what I thought was something great. She said: "Okay, I am not going to be in my original position which says now you can only have one mill as a discretionary levy. I will come into committee and announce it will be a mill and a half." Then she backed down from even that. She said: "I have better news for you. It can now be a mill and a half, and it can all be used for the hiring of teachers—except for one thing: we are going to freeze the factor at 1982 in terms of the assessment." So in terms of actual dollars she was doing very little. Under further pressure from the opposition, she brought forward an amendment in the House which moved that to 1983.

Another victory that we had, I suppose, was that she announced she was going to appoint a commissioner to look into the whole issue of the discretionary levy. I would be interested in knowing—I know the minister, who has fled the House, can hear me in the back room and would want to reveal this information to the House this afternoon—who that commissioner will be.

Will it be someone like Duncan Green? He is considered to be an open-minded individual, although maybe we do not agree with all of the things that he brings forward. Will it be someone like Duncan Green, who would have respect for the people in this House and the people in the educational community? Or will it simply be somebody who will confirm the minister's own feelings on this? I hope it will be a person who is trusted by everyone who is involved in education in this province, particularly in Metropolitan Toronto.

The discretionary levy and the allocation of surpluses was a victory. There was another victory in this House. That victory was a victory of principle in terms of how the procedures of this House should be run. The government, in December 1982, invoked closure. It attempted to bulldoze through the House its legislation through a time allocation motion, which was a new, precedent setting way of handling closure.

It attempted that at this time, but was outfoxed by the opposition. I must give a good deal of the credit for this to my colleague the member for Renfrew North (Mr. Conway), who carried out the debate on this. He recognized that if we kept talking and debating in a very relevant fashion on the time allocation motion, eventually the time allocation motion would be null and void because we would have passed the deadlines in it.

He made some good arguments. It was not just a filibuster. Yes, he spoke at some length;

there was design in that. He made some excellent arguments, some of which were heard from the member for York South (Mr. Rae) during a similar debate in the fall and winter of 1982 when he outlined his party's opposition to this kind of motion. He told me he had a five-hour speech to make on that occasion himself if it should have been necessary. He still has it ready for the next occasion, if there is one.

What we had was the member for Renfrew North standing up on behalf of the opposition for the rights of the opposition within this Parliament, fighting against a government which wished to railroad through, with a time allocation motion, a piece of legislation many in this province found to be repugnant. That is another victory. The government was forced to use its established procedure, its motion 36, that the minister had to stand up and invoke time and again in this Legislature. That was a major victory for us.

4:10 p.m.

The opposition indicated it would not be bulldozed, we would not roll over and play dead upon the trampling of the 70 times two, which is 140 feet that are across there to stamp on the rights of the opposition—or, as I once characterized it in the Re-Mor affair, the 70 bristles which were brushing that affair under the rug. In this case, they could not brush it under the rug. They could not stamp on the opposition. We were prepared to stand up and fight and we were successful in that fight.

I am sorry the minister is not here for my final remarks on this bill. I noted last night that many of her members came over to congratulate her at the end of committee of the whole stage as though she had won some major victory herself. There were kisses and pleasantries exchanged, and "Atta girl, Bette" comments. I noticed some of the Toronto members who were opposed to the bill were not there to indicate that.

The minister did win a victory in that 70 seats in the Legislature—based on 44 per cent of the 59 per cent who voted—she did win a victory in that regard because they have 70 seats. But I ask you, Mr. Speaker, at what cost did she have Bill 127? Some of the seats of her Metro members? Perhaps. The electorate will make a judgement on that. I cannot make that judgement now, but certainly some of her members have to be worried that the cross-section of people who were opposed to this bill will, on election day, remember and come out and indicate their disapproval. It could be at that cost.

It was also at the cost of the quality of

education. It was at the cost of the potential good relationship between the Ministry of Education and the teachers' federations in this province. It was at the cost of some of her colleagues' anger at the fact she would drag this government through this bill at a time when the Legislature is normally not sitting. That is a major cost.

It might even be at the cost of her position as Minister of Education in this province. Who knows, after the shuffle takes place, whether she will come back as the Minister of Correctional Services, or whatever she might come back as? It may be some other portfolio, but it might well be that the Premier (Mr. Davis) will now recognize that the confrontationist style of this minister is not conducive to a good relationship in education. It may well be that she might instead receive a promotion.

As she comes back into the House I will be kinder to her, although she was listening in the back room. It might well be that she will be reincarnated as Treasurer. One never knows.

Hon. Miss Stephenson: Then watch out.

Mr. Bradley: "Then watch out," is right. That is the first thing the minister said this afternoon with which I can agree. Because she would then have her hands on the purse strings and heaven protect education and other priorities at that time.

I just ask this one question of all the government members who have such a great interest in this bill this afternoon. That is, they have Bill 127, they have rammed it through the House, but at what cost?

Mr. Rae: Mr. Speaker, whenever I think of the Minister of Education, which circumstances have forced me to do more often than I might otherwise have done recently, I am reminded of that minister of education in the Third Republic of France, of whom it was said the great thing about him was that at any time during the day he could look at his watch and know exactly what courses were being taught all across France and what lessons were being learned because the education system in that regime at that time was a highly centralized one, a highly bureaucratized one, an extremely authoritarian one.

I simply want to say to the minister that she has created, in this legislation, a framework that can only be described as authoritarian. It is centralized, bureaucratic, inflexible and it will cost her and the government a great deal of difficulty. I hope to demonstrate that by talking about its impact on labour relations, teacher-

board relations, local autonomy, children and education.

This legislation is simply not going to work because it does not conform to the needs of a population that is far more demanding and complex than is ever appreciated by a mind that tends to see things in tight, tidy compartments with tight, tidy solutions that will only cause more problems than they solve.

Mr. Rotenberg: It just doesn't conform to your needs. You guys can dish it out but you can't take it. You have no respect for our wishes, just for your own.

Mr. Rae: I want to tell the member for Wilson Heights how much I appreciate his interjections. They add a great deal to the debate. I do not know if he has ever spoken on this subject, but he has certainly said a great deal from his chair. He has illuminated our understanding with respect to this legislation with every interjection he has made. I want to encourage him to continue to do so because he adds a great deal to the substance of this debate every time he decides to intervene in the way he has chosen to do.

Mr. Rotenberg: That is right. I tell the truth about it.

Mr. Rae: Exactly. It is that simple notion that he knows the truth and has all the answers that adds substantially to the substance of this.

I am going to look at this legislation from those different points of view. I want to start by having a look at what this bill does to collective relationships that exists between teachers and boards. I do not want to claim any tremendous expertise in this area. I do not want to suggest that I have any vast experience, but I have had an interest over many years in the question of labour relations and the nature and substance of collective bargaining relationships as they have been established in many different areas of this province.

I think it is worth while looking at this legislation as a piece of labour legislation because in a sense that is what it is. The first point I want to make may seem like an unimportant one, but to me it is absolutely astonishing that the government would attempt to create an entirely new framework for labour relations between teachers and boards anywhere in this province by amending the Municipality of Metropolitan Toronto Act rather than dealing with it as a question of labour relations proper.

Hon. Miss Stephenson: Because it applies only to the municipality.

Mr. Rae: The minister says it is confined and it only deals with Metro.

Hon. Miss Stephenson: That is right. Therefore, the legislative preference is to have it in that act.

Mr. Rae: Will the minister just listen, because these remarks are made in good faith. She may not agree with what I or many other people have to say about this legislation, but she is required to listen just a little while longer before she goes on her merry way towards the solutions she decided to impose upon the people of Metropolitan Toronto from whatever tower she inhabits from time to time. I know she does not like to listen, but she will have to listen for a little while longer.

I do not think what is happening here has been appreciated. It is something that is unique to labour and teacher-board relations in this province. It is a very new departure which in my view is doomed to create tremendous problems because it sets up categories in the bargaining relationship that are entirely artificial. They are artificial in the sense that it says bargaining will take place on a mandated basis centrally, but there will continue to be something called local bargaining. The minister has made a great point of this. She has said local conditions will continue to be bargained on a local basis.

There is no precedent for this in any labour legislation in the province, but there is a precedent for something else; wherever laws attempt to proscribe, circumscribe and artificially limit the context and ambit of collective bargaining, those laws create tremendous problems.

4:20 p.m.

One has only to look at the experience in the federal public sector where certain areas are taken out of collective bargaining and where management says: "No, you cannot bargain about that. You are not allowed to bargain about those things. No, I am sorry, you cannot bargain on these things, we have to set them by legislation."

When one creates that kind of authoritarian umbrella which limits the kind of bargaining which can take place between two parties in a labour relations context, one is creating problems. If we have learned anything in this century in this province, surely we have learned that labour relations, relations between management and working people, whatever job those working people may perform, is not something that can be carried out in an authoritarian manner.

When one injects that element of artificially

preventing people from talking about certain things and says: "You are allowed to discuss certain items, but you are not allowed to discuss these items. These items are centralized and these items are going to be local," when one creates that kind of completely artificial and arbitrary framework, one is creating an environment which is full of pitfalls and real difficulties.

I want to read from this brief, because I think it genuinely reflects this view. It is from the point of view of the teachers, but I do not see anything wrong with that. After all, it is from the point of view of people who have been involved in bargaining for some extensive time.

The brief I am referring to is from the Ontario Secondary School Teachers' Federation, District 16, from Scarborough, which was presented to the general government committee. The chairman of that committee was the member for Cambridge (Mr. Barlow), who is here today. I think it is extremely important that this be appreciated by members and by the government, because they will rue the day they pass this legislation. Like all tidy solutions, it tends to blow up in one's face, and that is precisely what this so-called solution is going to do. This is what the brief, in part, says:

"No labour relations legislation currently in existence in Ontario has attempted to split negotiations between those of a local nature and those of a central nature and attempted to allocate certain issues to each sphere of negotiations. Collective bargaining is an interrelated and dynamic process. Matters of a monetary nature will affect matters of a nonmonetary nature. An attempt to artificially divide such issues and impose a rigid format on such a fluid process may render the entire effort unworkable."

They go on to raise some examples of the kinds of issues which, to be perfectly frank, the minister does not have an answer to. She shakes her head to say: "No, these are not problems. There is no difficulty. That is not what the legislation means." Surely the minister understands that the real world is not the world of arbitrary and authoritarian answers where one looks at a clause and says, "That is the answer to that question." The real world is where one deals with the real world of bargaining, labour boards and the tribunals that are deciding these things.

One knows very well that the whole trend of this legislation is going to be away from allowing for full and free collective bargaining between local boards and their teachers, and towards emasculating the ability of local boards and

teachers to settle issues which are of direct concern to them, and which should be settled by them and not by anybody else—certainly not by the Metropolitan Toronto School Board, this unaccountable octopus which has been created by the Tory government in Ontario.

One other thing said in that brief which I think is important is the following:

“Does a provision in a collective agreement which guarantees accumulation of seniority during a leave of absence without pay constitute a financial benefit? If so, would that mean that all rules with respect to the granting of such leaves be an item for central negotiation, even though the criteria and approaches in this matter may vary from board to board?”

“The artificial separation of monetary from nonmonetary issues may well require that certain aspects of a maternity leave plan, for example, be dealt with centrally; a procedure that can only lead to confusion and delay and disruption of the collective bargaining process. There is no mechanism available for resolving such disputes.” Those words are worth repeating: “There is no mechanism available for resolving such disputes.”

If I may say so, as one who has some experience in reading the Labour Relations Act and, indeed, in reading the act in other areas dealing with other workers in the province from whom the right to strike has been taken away or who have special legislation, from the standpoint of somebody interested in trying to resolve a dispute or somebody trying to find an answer to the question of what is central and what is local, and find an answer which is not simply to be settled by those who are always going to be in favour of the centralized answer, this legislation is poorly drafted, it is poorly worded, it is poorly thought out.

It is drafted by people who have very little understanding, I would say zero understanding, of labour relations and who tend to see these things as things that can be placed in tidy, totally separate, watertight compartments, for whom there are tidy, watertight answers. The world of labour relations does not know those kinds of answers. It certainly does not know the kinds of answers that have been imposed on it by the Minister of Education.

The first point I want to make is one that we have not laboured on a great deal on this side because none of us has wanted to appear to be making a special case simply for one profession, simply for the teachers. I think that is understandable. Nevertheless, I think a word

has to be said here on behalf of that group of employees who are being placed in this strait-jacket. It is lousy, poorly-worded labour legislation from the point of view of somebody who is trying to find out how to bargain these items, how to resolve the disputes over what is local and what is central. If I may say so, the thing that is fundamentally offensive about this from a bargaining standpoint is that the board which is doing the bargaining, the centralized board, is not accountable to anybody.

Mr. Rotenberg: They do not do the bargaining. The Metro board does not do the bargaining.

Mr. Rae: I hear the member for Wilson Heights in another one of his gems of wisdom saying they do not do the bargaining. All I can say is he does not understand how this legislation works if that is what he thinks. If that is what he thinks and that is how he understands the nature of the process, I am sorry. Perhaps it is just as well we are leaving either today or tomorrow or Friday or whenever we get through with this debate. To me, it does not make any sense that the member would be making that kind of a comment.

The second point I want to make is that in centralizing authority in Metro in this unaccountable board, the government is doing very real damage to the metropolitan system itself. I want to suggest to the minister and to the government that what has happened here is a mini-revolution, almost undetected by many observers, away from all the major recommendations that the Robarts committee made and that other committees have made throughout the 1970s with respect to relations between the boroughs in Metropolitan Toronto.

I think it has to be understood that what is happening here is contrary to the very clear recommendations and points of view of the commissions which the government established during the 1970s. This government has failed to recognize that the kind of government which was appropriate in education during a time when the boroughs were expanding in size and growing and clearly needed to have the support of the tax base of the city of Toronto, that the kind of system that was appropriate for those days may be completely inappropriate for a municipality such as Metro Toronto which has now become far more mature and more evenly balanced in the relative size and abilities of each of its boroughs to raise funds and which, at the same time, is too large in the field of education, in my view and in the view of our party, to give

all the power to a completely unaccountable board.

I respect those people and I understand those people who say, "Let us move away from the metropolitan system and let us just have one big Toronto that abolishes totally the boundaries between the different boroughs." I do not agree with that point of view, certainly with respect to education.

Hon. Miss Stephenson: Neither did we; that is why we brought in the bill.

Mr. Rae: I do not agree with that point of view, but I have far more respect for that point of view than I do for the kind of phoney, so-called compromise which has been adopted by the government which, in fact, gives us the worst of both worlds because we have all the disadvantages of each system, if you will, one imposed on the other. We have none of the flexibility that one would get with a truly decentralized system and we have none of the advantages of whatever efficiencies would be produced by having a truly centralized system.

4:30 p.m.

What we have is a system that is highly bureaucratized and is really genuinely unaccountable. Instead of having one level of bureaucracy, we have two.

Mr. McClellan: Plus the ministry. That gives us three.

Mr. Rae: As my friend the member for Bellwoods quite correctly points out, plus the ministry, ever growing in the numbers in its departments and the series of people who are advising and consulting the ministry and advising and consulting everybody else.

I think it is worthwhile for people to recognize that this legislation is designed—and there can be no other explanation for this—to take power away from local boards, which are accountable, and to replace that power not with some new system of accountability but simply with a maze of nonaccountability.

Mr. Speaker, you know through your understanding of the governmental process that when no political figures are truly responsible and truly accountable, the people who take charge are the bureaucrats, the so-called experts, the officials. And those are the people who are not accountable to anybody, whom nobody can get at, whom the public cannot reach, who do not have to respond to the demands of public opinion, to whom parents cannot say, "I do not agree with what you are doing, and I disagree

with it so profoundly that you are going to be out after the next election."

These are people who are in the job, and they are there for life, regardless of what the politicians may think or how public opinion may change. As someone who believes very strongly in democracy I think we have to be concerned about this fact in Metropolitan Toronto. This government is giving far more power to the Metro school board than it has ever had before, and that power is truly unaccountable.

Mr. Rotenberg: That's not so. It is not giving them any more power.

Mr. Rae: The member for Wilson Heights says that is not so. Well, let me just go back. I believe the member is an intelligent person, and I want to ask him how he can say they do not have more power when the very first point I was making, and I do not think it can be argued at all, was that they are being given far more power with respect to bargaining with their employees.

Mr. Rotenberg: Read the bill. Read section 4.

Hon. Miss Stephenson: It is mandated joint bargaining.

Mr. Rae: The minister should look at the pattern. What has happened with the pattern of joint bargaining that has taken place up until now? The minister knows full well that the reality of the process has been that the individual boards have lost their ability to bargain and that the ability to bargain has been taken over by the Metro school board.

Look at the evidence in the committee, piled high from every single teachers' group that bargained with their individual boards and the members will find out the answers they got from their individual boards. The answer they got was: "We are not doing the bargaining any more. All that bargaining is being co-ordinated at the centre by the Metro school board. They are the people with all the answers. They are the people who are doing the dealing."

The government is turning the trustees in the city of Toronto and all of the boroughs into a group of eunuchs who have absolutely no power and no ability to deal with any of the issues that are before them, and that is precisely what the government is doing.

The reason the minister is doing it, Mr. Speaker, speaking of eunuchs—

The Deputy Speaker: Wait a minute. Who is that referring to?

Mr. Rae: The reason they are doing it, sir—

Mr. Rotenberg: Mr. Speaker, a point of privilege.

The Deputy Speaker: Now you have done it.

Mr. Rotenberg: On a point of privilege, Mr. Speaker.

The Deputy Speaker: I do not know what it is, but whenever the member for Wilson Heights enters the chamber we always seem to be paying for it. What has happened now?

Mr. Rotenberg: On a point of privilege, Mr. Speaker: I know you cannot speak on your own behalf. I think the reference by the honourable member to the Speaker was not parliamentary, not proper. I think he should withdraw that reference to the Speaker.

Mr. Rae: Mr. Speaker, I know you have a sense of humour, even if the member for Wilson Heights does not.

If I may be allowed to continue, I would like simply to indicate to you that, on the political front, what is politically offensive about this—and I do not mean this in a partisan sense; I mean this in the sense that all of us should be concerned about democracy—is that we have to ask ourselves: What is this government doing to democracy in education in Metropolitan Toronto? The answer is democracy in education in Metropolitan Toronto is being gutted because local boards, which are democratically elected, are being deprived of their ability to deal with their own employees, parents and children. That power is being transferred—

Hon. Miss Stephenson: That is crazy, absolutely stark raving mad.

Mr. Rae: That is the *raison d'être*, that is the rationale, that is the essence of this legislation, its bottom line.

Hon. Miss Stephenson: There is something wrong with your nose and your cerebral capacity.

Mr. Rae: The Minister of Education can complain all she wants, but that is the spade she has created, and we are going to call it a spade, because that is exactly what she has done and she cannot deny it. Look at the rationale and arguments she herself made and look at the arguments that have been made in favour of this legislation by the various people who have argued in favour of it. There can be no other explanation than that it is an attempt to make power less accountable because people do not like the results of what happens when power is accountable.

Let us get right down to it. What the minister does not like is what a group of taxpayers in the

city of Toronto have decided they want to have as a quality and a standard and a practice of education for their local board. The minister and this government are saying: "These boards are just creatures of ours. They are just an extension of us. They do not have any independent power." It is the same attitude they had towards the municipality. It is the same attitude they have towards all the groups in the province.

"We are the sovereign power," says the government. "We are the ones who can decide how this power should be allocated," says the minister, "and you have exercised your power wrongly for a very long time. You have behaved in a way the Minister of Education thinks is irresponsible." She even took the trouble to go to Rosedale public school and tell the good citizens of the St. David Progressive Conservative Association just how politically irresponsible this board was.

The people of Toronto, right across Metropolitan Toronto and in the city of Toronto, had a chance to put their views to the minister in November 1982. I would have thought at that stage the government, any government worth its salt, with respect for public opinion in the city of Toronto or Metro Toronto would have said: "We tried to run on Bill 127. We tried to convince the people that it was okay and we failed to convince them of that. Perhaps we should have another look at this legislation and try to do it another way."

That would be the intelligent response to public opinion, when it speaks up in a local election. I happen to believe that local democracy means something and that, when a school trustee is elected, that trustee should have some power and responsibility. I do not think it is realistic in this day and age to pay a trustee a couple of thousand bucks a year and expect him to sit one night a week and say to him, "You are just doing a part-time job, it is not important."

We, in our party, happen to believe education is important. As the leader of our party, I am not ashamed to say I have encouraged candidates to run as trustees and I have encouraged people to get involved, because I happen to think education is an important issue. I happen to think political parties should have views on education. I am very proud of the role the New Democratic Party has played in the city. I am very proud of the programs that have been established by the Toronto Board of Education.

If I seem to be a little annoyed with the minister, there is a reason. She may call it a partisan reason, but I do not think it is that

partisan a reason. I think she is going to destroy those programs, which are very good, not just for our party particularly, but for the people they were designed to help. That is the final point I want to come to—the children.

Mr. Ruprecht: The real losers are the children.

Mr. Rae: They are the real losers in this program, as the member for Parkdale has so correctly said. When we come right down to it, this is a conflict between those whose only bottom line is that dollar bill, whose only criterion is that dollar bill, and those who are certainly looking to the dollar and to value for the dollar, but are also looking to the children who need to have programs that are designed for them.

Metropolitan Toronto is a community as vast and diverse as life itself. My father grew up in this city and he has told me stories of what it was like 30, 40 and 50 years ago. Indeed, he went to high school with the Clerk of this House.

4:40 p.m.

Mr. Nixon: I remember what it was like that long ago. What about you, Bette?

Hon. Miss Stephenson: I certainly do. I grew up here too.

Mr. Nixon: She bragged about being a Depression baby.

Mr. Rae: That is right. Others may remember. I was thinking of—

An hon. member: The minister.

Mr. Rae: I was not thinking of the minister, not at that point. I was thinking seriously of how this city has changed.

The point about those changes is we have to have an education system that responds to each generation of immigrants as it comes to this city. This is a city that Vietnamese, Italians, Portuguese, Greeks, South Americans and people from Africa and Asia come to. It is the place where they start out when they come to Canada.

It is a place where tens of thousands of these children do not speak English at home. English is not their first language; it is not the language of their parents. These are kids who have very special needs. It is absolutely astonishing this government would be embarking on a course of action which is going to reduce opportunities for those children.

Mr. Rotenberg: It is not and you know it.

Hon. Miss Stephenson: That is absolute garbage.

Mr. Rae: The minister does not like to hear it.

She likes to think she can announce a program and it will have no impact on people.

Mr. Rotenberg: You are making that up.

Mr. Cassidy: It is true.

Mr. Rotenberg: It is not.

Mr. Rae: No, I am sorry. They cannot have the best of both worlds. They cannot have a world which saves all kinds of dollars, which is what they say this is intended to do, introduce what they classify as “fiscal responsibility,” and turn around and say: “But it is not going to have an impact on any programs. It is not going to have an impact on any schools or teachers.” That is absolute malarkey and the minister knows it.

Hon. Miss Stephenson: Mr. Speaker, on a point of order: This minister has never made the statement attributed to her by the member for York South. I defy him to read the entire documentation of the debate on this bill and find the statement that this was going to save dollars. That is not the purpose.

Mr. Di Santo: Mr. Speaker, on a point of order: I do not think the minister wants to mislead the House, but the other night when we were discussing section 6, she said it was an invitation to the boards to be thrifty. She also said—

Hon. Miss Stephenson: What is wrong with that?

Mr. Di Santo: Exactly; that is what the leader of my party is saying.

Mr. Rae: That's what it's all about, Bette.

The Deputy Speaker: One more shot; the Minister of Education.

Hon. Miss Stephenson: I would remind the member for Downsview (Mr. Di Santo), the word “thrift” means to expend money wisely.

Mr. Rae: I think the language of the minister is simply weasel language and those are weasel words for what we all know are going to be cutbacks in education in Toronto. I am sorry. The minister cannot have it both ways, and we are not having it both ways. We made up our minds some time ago as to where we stood. We stand for quality and for those trustees who are prepared to take those decisions.

If taxpayers do not like the decisions the trustees have taken, then taxpayers can throw them out at the next election. That is the way the democratic process works. It is not up to a government acting like some kind of a professional nanny or a receiver to move in and say,

"No, no, no, no." That is what this government has become. It is one large bailiff's operation.

The only kind of legislation this government knows how to pass is receivership legislation. It is bailiff legislation. It is nanny legislation which basically is saying to politically accountable boards, "We are taking away your political accountability and we are going to substitute our judgement and wisdom for yours." That kind of authoritarian, paternalistic or maternalistic attitude—I do not care, whichever she likes—is still authoritarian. Whichever way the minister takes it, it is still authoritarian. That is a disservice to democracy and a disservice to the people of this city.

Hon. Miss Stephenson: Don't you accuse me of being autocratic.

Mr. Rae: The point I am making is that the evidence is overwhelming. One looks at the evidence from schools, one looks at the evidence from those parents' groups who have spoken to the committee, one looks at the evidence from those teachers who have spoken to the committee and who know what is going on in their schools, one looks at the evidence of principals of elementary schools whom I have met with and whom other members have met with, and one sits down and talks with them and asks: "What kind of programs have you got? Which ones are dependent on your local levy? Which ones are dependent on a particular attitude coming from your school board?"

They show you those programs: English as a second language; French immersion; the capping of class sizes where it is the view that we have to have smaller class sizes in order to give individual attention to children who, without that kind of individual attention, would not be getting a chance; the all-day kindergarten classes, which have made a difference to many kids and also to many working parents. These are the kinds of programs which are going to be sacrificed and when one sacrifices those programs, one is sacrificing opportunity in this province. That, it seems to me, has to be the bottom line.

I can remember the licence plates which used to refer to this province as the province of opportunity.

Mr. Rotenberg: It still is.

Mr. Rae: The member for Wilson Heights says that it still is. Let him tell that to a kid who is going to be getting less attention in an elementary school because of the government's fanatical commitment to thrift. That is exactly what is going to happen. Let him tell that to elementary

school kids, whose parents cannot take the high-class route of sending their children to a private school because the public school system is their only route to opportunity and the only chance that they have. That is what has made this issue such an important one for us.

Mr. Rotenberg: The member has made a phoney issue of it.

Mr. Rae: It has not been made a phoney issue; it is a real issue. If the member for Wilson Heights or the minister thinks that this is a phoney issue, he or she is sadly mistaken. Let me go through what is going to happen.

I spoke, first of all, of labour relations. The government creates an authoritarian centralized environment for labour relations and they are asking, they are getting down on their knees and asking for useless confrontation and that is exactly what they are going to get in teacher-board relations in Metropolitan Toronto, thanks to the Minister of Education. That is exactly what they are going to get. It is inevitable. The writing is on the wall. If they take the flexibility out of the system, they are going to create confrontation. Then they are going to turn around and do something even more authoritarian and blame the teachers and blame the workers. We know the style of the government. But that is what they are doing. Let there be no doubt about it.

If one looks at those children—and this may seem harsh—those children who will not get the education they need, who will not get the attention they deserve, who will not get the chance to compete and the chance to learn what they deserve and they need, and one looks in 10 and 15 years at increased rates of juvenile delinquency, one looks at increased rates of youth unemployment, one is going to see that it is this kind of legislation which is creating that kind of meaner, more vicious world for our children, a world of less opportunity for our children, a world where chance and opportunity, a chance to grow and a chance to learn, a chance to be able to take advantage of all the greatness of the province, are taken away by a government in an escapade of ideological fanaticism, in an escapade of dogma over reason, dogma over ordinary common sense, dogma over what all of us would agree, in this Legislature, needs to be done to bring our children together.

So I want to put the minister on notice and I want to put the government on notice. This is not the end. This is the beginning of something. This is the beginning of a battle for quality

education, for accountability and fairness in relationships between employees and employers in the public and private sectors. This is a battle which is not going to end with this particular bill; this is one which is going to continue.

I am very proud to have been the leader of our party, which has done so much for education, where we have had trustees and where we are going to make this issue a major one in the days and months ahead in this Legislature.

4:50 p.m.

Hon. Mr. Wells: Mr. Speaker, I would like to take the opportunity to enter this debate. I have not entered it up until now because it has been very well handled by a number of other speakers.

I want to enter it also as a former Minister of Education in this province and as a former member of the Metropolitan Toronto School Board. There may be some former members of the school board in this House, but I am sure there are none who have been chairman of the finance committee of the metropolitan school board or chairman of the bargaining committee of the metropolitan school board. They were posts which I held in the early 1960s before election to this Legislature.

I feel I must enter this debate and talk about some of these things, because I think there has been a lot of hot air about this bill. There have been a lot of arguments which have obscured the facts, and I think the facts are very important.

I am debating now why this bill should now be read a third time because I think it is important that it move ahead. I recall, as chairman of the negotiating committee for trustees on the metropolitan school board, and as chairman of the Scarborough Board of Education in 1960 or 1961—I cannot remember the exact date—I led a delegation to Queen's Park to meet the then Minister of Education. The request of our delegation at that time, on behalf of the metropolitan school board, was for legislation to provide for joint bargaining in Metropolitan Toronto.

Mr. Renwick: I can understand that. He made no progress.

Hon. Mr. Wells: It was because of the necessity for that particular kind of reform. The fact was, and obviously it is quite clear to my friend the member for Riverdale (Mr. Renwick), we did not get that legislation. But ever since that time, and even when we were negotiating then, the idea of joint separate negotiations in Metropolitan Toronto was fostered and carried on.

It was not necessarily with agreement at all times by the teacher groups, and it was not necessarily with agreement at all times by all the school boards. But where my friend the member for York South (Mr. Rae) misses is in the history and uniqueness of the metropolitan experiment here, which is different to anything else in Ontario. It is probably different to anything else in Canada or North America.

It is a unique experiment that has brought quality education to thousands upon thousands of children in Metropolitan Toronto. It has brought it based on the fact that it does not matter where one lives in Metro, that one should enjoy the benefits of this whole area. Therefore, I, as a resident of Scarborough, have always firmly believed in helping and encouraging the development in other areas, particularly Toronto and the downtown core of Toronto.

The development of the city of Toronto is important. The kinds of things the metropolitan school board has done with the agreement of all the areas, such as building new schools in downtown Toronto and encouraging new programs, all the things which have made this one of the key and best educational areas in North America, have been done because the metropolitan school board was here.

Mr. Renwick: Why did John Robarts recommend it be phased out?

Mr. Speaker: Order.

Hon. Mr. Wells: John Robarts recommended that it be phased out because I do not think he sincerely understood what it had accomplished.

Interjections.

Mr. Speaker: Order.

Hon. Mr. Wells: Let me tell the members that no matter what John Robarts recommended, this government rejected the recommendations of John Robarts. My friend will know that we also rejected some of the other recommendations he made, such as carving up this whole area into new geographic cities and boroughs, which everyone felt should be rejected. Based on that particular recommendation, as far as the Metropolitan Toronto School Board is concerned, I do not know why John Robarts recommended as he did, but I think he and that commission erred.

We had appointed, a few years before the Robarts commission, Barry Lowes, Marg Gayfer, David Tough and Brock Rideout to carry out an in-depth study of the Metropolitan Toronto School Board, and they recommended that the two-tier system stay.

Mr. Renwick: What kind of politicians were they? What did they know about it?

Mr. Nixon: Who elected them?

Hon. Mr. Wells: Let me tell members what kind of politicians they were. David Tough was one of the finest directors of education in Ontario, Marg Gayfer was an educational reporter and Brock Rideout was the key bureaucratic designer of most of the innovative grant programs, many of which helped the city of Toronto. Barry Lowes was a very distinguished chairman of both the Toronto board and the metropolitan school board.

I would stack Barry Lowes's knowledge against John Robarts's in so far—

Mr. Renwick: Your arrogance is only exceeded by—

Mr. Speaker: Order.

Hon. Mr. Wells: —in so far as the metropolitan school board is concerned. I tell the members that, because I debated this very same thing with John Robarts before and after his report. We recommended many times to John Robarts—who was really appointed to look at the structure, not at the Metro school board, since we had spent a great deal of money on the Lowes report—that his commission should not even bother to look at the Metro school board; but for some reason, it decided to venture into that area.

Mr. Nixon: You spent a lot on the Robarts report too.

Mr. Renwick: This is unbelievable.

Hon. Mr. Wells: I do not care whether it is unbelievable. We have listened to nothing but an unbelievable amount of nonfact from the members opposite for weeks and weeks. The trouble with my friend the member for Riverdale (Mr. Renwick) is when he is making the point he is very happy, but not when anyone else is, especially someone with rather more first-hand knowledge than he has on a situation. He will have to take my word for it, but I did talk many times with John Robarts and I said the very things to him I have said to the member.

I do not think he understood the Metropolitan school board, and the recommendations he made did not make sense. Those recommendations did not make sense to the Labour Council of Metropolitan Toronto. They did not make sense to the Metropolitan Toronto Board of Trade. They did not make sense to a number of other people who came to us. We, therefore,

brought out a white paper suggesting that the Metro two-tier system should remain.

My friend asked, "What have you done with the Robarts report?" When I was Minister of Education in May 1978 I brought out a complete answer. Has the member read it?

Mr. Rae: I have read it.

Hon. Mr. Wells: I still think direct elections must be looked at. My colleague the Minister of Municipal Affairs and Housing (Mr. Bennett) has suggested he might want to look at direct elections and that can be done. In this report, which was a response to the Robarts report and which recommended the continuation of the two-tier system in this jurisdiction, we also, as a government, suggested the following recommendation—I suggested this and I assented to this and I still assent to it:

"6. The government proposes that a two-tier system for the negotiation of all collective agreements for organized groups of employees be implemented. Salary grids, staff allocation formulas and employee benefits will be negotiated by the Metro board with the employee groups concerned. All other matters in the collective agreement will be negotiated by the area boards with their organized groups of employees.

5 p.m.

"7. The government proposes that the Metro board be given the responsibility for co-ordinating the reallocation of surplus staff, and the government proposes that the Metro board be given the authority in lieu of the area boards to effect final negotiations with the Metropolitan Separate School Board in the matter of the joint use or sale and purchase of schools," and so forth.

So the talk about this being something that is new and has suddenly come along is not right. The bargaining aspects of Bill 127 have been around here for a long time. They have been requested by Metropolitan Toronto school boards for a number of years. They were recommended by the government in 1978, and they are now being implemented at the request of the Metropolitan Toronto School Board and five of the six area boards.

Mr. McClellan: You didn't do this kind of nonsense when you were minister. You had your chance. You had more sense.

Hon. Mr. Wells: Calm down a little and listen.

The fact of the matter is that there is a philosophical difference as to whether you should have joint bargaining in Metro or not,

but this joint bargaining is not going to interfere with the quality of education in Metro, it is not going to interfere with morale and it is not going to have all the dire consequences the members opposite say. It is not going to do that because, heck, it has been done for a number of years already.

Mr. Grande: Where?

Hon. Mr. Wells: In Metropolitan Toronto.

Mr. Grande: Not mandated joint bargaining.

Hon. Mr. Wells: It does not matter whether it is mandated or not. The Metropolitan Toronto School Board has instituted systems that have provided for uniform bargaining because it is a unique body, and the elementary teachers and the secondary teachers over the years have bargained together with a committee of the boards.

Mr. Bradley: Voluntarily.

Hon. Mr. Wells: Well, voluntarily—

Mr. Martel: If they were doing it voluntarily, why did you make it mandatory?

Mr. Speaker: Order.

Hon. Mr. Wells: That leads us very logically to why it should be mandatory. In 1959 or 1960, as I recall, the key arguments on the Metro school board used to be over what was known as the maintenance assistance payments, the amounts per pupil that would be granted by the Metro school board to the pupils in all the area boards.

The boards that needed the help—the Scarboroughs, the Etobicoques, the East Yorks and the North Yorks—were always fighting for more money on the basis of the commercial assessment of downtown Toronto, and they were always blocked by the Toronto board. It was an ongoing fight, usually leading to a compromise and a sawoff.

This led to studies that suggested the way education should be financed in Metropolitan Toronto was through a uniform levy, a uniform mill rate in Metropolitan Toronto.

Let me point out to the member for York South (Mr. Rae), who may or may not agree with me, that there is no other situation in Ontario where you have a uniform mill levy over six boards of education such as you have here. You have a uniform mill rate for education in Metropolitan Toronto raised over the whole area to pay all the expenses for the whole area, and it follows very logically that those items that make up the components of the budget should be handled jointly.

Mr. McClellan: Right. And why didn't you do it? Because it's stupid, that's why.

Hon. Mr. Wells: I guess because I brought in this recommendation in May 1978 and I moved on to my new ministry a couple of months later, before I had a chance to do it; but let me tell my friend, if I had been there I would have done it.

The uniform mill rate has been the one thing that I think has been a great boon to education in this jurisdiction, and this uniform mill rate dictates that uniform salary negotiations are necessary in this area. I do not think they are going to have the bad effect that some of the members say, because the concern for education in Metropolitan Toronto is just as deeply felt by all trustees. This idea that somehow some trustees in some boards have no concern and some in others have all the concern is not so.

I am not really using this as an excuse. I would stand up on parochial terms and support this bill because the people and trustees of Scarborough support the bill. All I get are requests that we get the bill passed as quickly as possible. I do not take that approach. I tell them: "We cannot approach this bill as something that is going to be detrimental to the city of Toronto. This bill has to be for the good of the whole of Metro."

One of the things that was instituted at the time the uniform mill rate was brought in was a discretionary levy. The discretionary levy was brought in so that, after one developed the formulas in Metro that would provide for the budgeting under the uniform mill rate, those boards that wanted extra money to do special things would have a discretionary mill levy to do it. That innovation was introduced by the present Premier of this province who was then the Minister of Education—

Mr. Martel: I know, some of us worked under him.

Hon. Mr. Davis: I did everything you used to write me letters about.

Mr. Speaker: Order.

Hon. Mr. Wells: At that time, the Toronto Board of Education was not particularly happy about having a uniform mill rate for education in Metropolitan Toronto, but it accepted that based on the fact there would be a discretionary levy, elementary and secondary, that could be used for those special projects and lighthouse experiments to keep them in a leadership position.

I emphasize that because the minister has

now provided for the continuation of that discretionary levy in the present—

Mr. Rae: It's frozen.

Mr. McClellan: It's in the deep freeze.

Hon. Mr. Wells: No; for the moment it is at the 1983, the present level, but she has agreed to have a study so the whole matter of the discretionary levy can be worked out.

Since my friends are such avid readers, I hope they have read the Lowes report on discretionary levy, because the Lowes commission recommends a discretionary levy but points out that there is a degree of inequity in the discretionary levy because the assessment base in Toronto allows it to raise \$157, whereas in Scarborough they can only raise \$37 or \$47 on one mill.

The Lowes report suggests some way perhaps should be found to equalize that. It is not necessarily saying to drag Toronto down but, as I read it quickly, it suggests some kind of pool that might have provincial and local levy money put in that could then be drawn on by boards for special projects.

In other words, the Lowes commission and others showed there are perhaps more innovative ways of handling the discretionary levy than we now do, but the bottom line on all this is that we have not cut out the discretionary levy. I say this to the members of this House and to those parents who are concerned, we have not cut out the discretionary levy, we have said there will be a study. I am guaranteed by the minister there will be a statement before next year as to what will be the future of that levy.

Therefore, that argument does not hold any water because the discretionary levy is there now. It is guaranteed in legislation and it can be used for any purpose the board wishes. It is going to be reviewed. Let us put that to rest and not keep trying to cast all these horror stories out there such as I hear, because those horror stories are not going to happen. The minister is going to come back with a report on the discretionary levy which is probably going to put the thing in an even better light than it is now.

5:10 p.m.

Let me also say, and I neglected to say this when I talked about the bargaining situation, there are two things said about this bill which are absolutely not so. I read that this bill is the forerunner to regional or province-wide bargaining. This bill is not, and I underline that, it is not the forerunner to regional or province-wide

bargaining. This government is not moving in that direction.

Hon. Mr. Davis: I told them it wasn't.

Mr. McClellan: We don't believe you.

Hon. Mr. Davis: Mr. Sweeney believes me. He is nodding his head.

Mr. Martel: But you are going to Ottawa.

The Deputy Speaker: Order.

Hon. Mr. Wells: Mr. Speaker, if my friends had listened they would have realized the uniqueness of Metropolitan Toronto and the Metropolitan Toronto School Board. The uniform mill rate and the structure of this area suggest that this kind of bargaining situation can occur, but it is not in any way a forerunner of any type of regional bargaining or province-wide bargaining. There is no other grouping of school boards in this province where this could be applied. Anybody could realize that. There is only one two-tiered system for education in this province, and that is Metropolitan Toronto.

The other thing I want to put to rest very clearly, and I am sure the minister has and others have, is that this is not in any way bringing in Metro-wide seniority for teachers in the various city and borough boards. It has nothing to do with Metro-wide seniority.

I want to say very clearly in this House that while the Scarborough board is in favour of Bill 127, it is not in favour of Metro-wide seniority for teachers. The teachers in Scarborough will continue to be ranked and have their seniority in Scarborough, the teachers in Toronto in Toronto, and in North York in North York. That is another fact that is floating around and must put to bed. They are two of the things I have read that have been perpetrated.

Let me just sum up. I think this bill should be read for a third time at this particular time because it has been asked for by the Metro school board and because it has been requested by a vast majority of the boards in this area. It implements bargaining recommendations that were presented in 1978 to this House, and it continues the local discretionary levy at 1.5 mills with the right to use that for any purpose. The minister has suggested a commission or a person will look at the discretionary levy and report before next year's discretionary levy is ready to be levied.

It is a very sensible bill, and we have all waxed eloquent for long enough. Therefore, I move that the question be now put.

5:33 p.m.

The House divided on Hon. Mr. Wells's motion that the question be now put, which was agreed to on the following vote:

Ayes

Andrewes, Ashe, Baetz, Barlow, Brandt, Cousens, Cureatz, Davis, Dean, Drea, Eaton, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Henderson, Hennessy, Johnson, J. M., Jones, Kells, Kennedy, Kerr, Kolyn, Lane, MacQuarrie, McCaffrey, McCague, McLean, McNeil, Miller, F. S., Mitchell;

Norton, Piché, Pollock, Pope, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Snow, Stephenson, B. M., Stevenson, K. R., Taylor, J. A., Timbrell, Treleaven, Villeneuve, Walker, Watson, Welch, Wells, Williams, Wiseman.

Nays

Allen, Boudria, Bradley, Breaugh, Bryden, Cassidy, Charlton, Conway, Copps, Di Santo, Edighoffer, Epp, Foulds, Grande, Haggerty, Kerrio, Laughren, Lupusella, Mackenzie, Mancini, Martel, McClellan, McGuigan, Miller, G. I., Newman, Nixon, Philip, Rae Reed, J. A., Reid, T. P., Renwick, Riddell, Ruprecht, Ruston, Samis, Spensieri, Stokes, Swart, Sweeney, Van Horne, Wrye.

Ayes 57; nays 41.

The House divided on Hon. Miss Stephenson's motion for third reading of Bill 127, which was agreed to on the following vote:

Ayes

Andrewes, Ashe, Baetz, Barlow, Brandt, Cousens, Cureatz, Davis, Dean, Drea, Eaton, Eves, Fish, Gillies, Gordon, Gregory, Grossman, Henderson, Hennessy, Johnson, J. M., Jones, Kells, Kennedy, Kerr, Kolyn, Lane, MacQuarrie, McCaffrey, McCague, McLean, McNeil, Miller, F. S., Mitchell;

Norton, Piché, Pollock, Pope, Ramsay, Robinson, Rotenberg, Runciman, Scrivener, Sheppard, Shymko, Snow, Stephenson, B. M., Stevenson, K. R., Taylor, J. A., Timbrell, Treleaven, Villeneuve, Walker, Watson, Welch, Wells, Williams, Wiseman.

Nays

Allen, Boudria, Bradley, Breaugh, Bryden, Cassidy, Charlton, Conway, Copps, Di Santo, Edighoffer, Epp, Foulds, Grande, Haggerty, Kerrio, Laughren, Lupusella, Mackenzie, Mancini, Martel, McClellan, McGuigan, Miller, G. I., Newman, Nixon, Philip, Rae Reed, J. A., Reid, T. P., Renwick, Riddell, Ruprecht,

Ruston, Samis, Spensieri, Stokes, Swart, Sweeney, Van Horne, Wrye.

Ayes 57; nays 41.

5:40 p.m.

Mr. Grande: Mr. Speaker, in the interest of the traditions of this Legislature, I wonder if you would be good enough to find out exactly how many times closure was used on this bill, plus the time allocation, because it could very well be—

Mr. Speaker: The member will resume his seat please.

Hon. Mr. Wells: Mr. Speaker, this might be the appropriate time to indicate this House has sat for about 166 days in this second session, which makes it the second longest session in the history of the province and the longest in the history of this administration. We passed 79 bills, many of which will have far-reaching, good effects on the life of this province.

The Premier (Mr. Davis) also wanted me to indicate that the third session of the 32nd Parliament will begin on Monday, April 18.

I wonder if we might have consent to revert to motions as I have a request from the New Democratic Party to move a motion on its behalf.

Mr. Speaker: Is there unanimous consent?

Agreed to.

MOTION

COMMITTEE SUBSTITUTION

Hon. Mr. Wells moved that Mr. Mackenzie be substituted for Mr. Wildman on the standing committee on public accounts.

Motion agreed to.

Hon. Mr. Wells: Mr. Speaker, the Premier (Mr. Davis) is now going down to bring in the Administrator. I thought I should announce to the House that His Honour the Lieutenant Governor is suffering from a bad back today. All those with back problems will know how painful they can be and I am sure we all wish his pain from that affliction is over quickly. I thought I should indicate to the House why the Administrator will be giving royal assent and proroguing this House.

The Honourable the Administrator of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

ROYAL ASSENT

Hon. Mr. Howland: Pray be seated.

Mr. Speaker: May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

Assistant Clerk: The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 14, An Act to revise the Municipal Conflict of Interest Act;

Bill 127, An Act to amend the Municipality of Metropolitan Toronto Act;

Bill 138, An Act respecting the Protection and Promotion of the Health of the Public;

Bill 146, An Act to amend the City of Thunder Bay Act, 1968-69;

Bill 177, An Act to amend the Motor Vehicle Accident Claims Act;

Bill 192, An Act to amend the Regional Municipality of Hamilton-Wentworth Act;

Bill 195, An Act to amend the Municipality of Metropolitan Toronto Act;

Bill 197, An Act to amend the Power Corporation Act;

Bill 203, An Act to amend the Fuel Tax Act, 1981;

Bill Pr33, An Act respecting the City of Kitchener;

Bill Pr50, An Act respecting the Certified General Accountants Association of Ontario.

Clerk of the House: In Her Majesty's name, the Honourable the Administrator doth assent to these bills.

Mr. Speaker: May it please Your Honour, we, Her Majesty's most dutiful and faithful subjects of the Legislative Assembly of the province of Ontario in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government, and humbly beg to present for Your Honour's acceptance, a bill entitled An Act granting to Her Majesty certain additional sums of money for the Public Service for the fiscal year ending March 31, 1982, and certain sums of money for the Public Service for the fiscal year ending March 31, 1983.

Clerk of the House: The Honourable the Administrator doth thank Her Majesty's dutiful and loyal subjects, accept their benevolence and assent to this bill in Her Majesty's name.

5:50 p.m.

The Honourable the Administrator was pleased to deliver the following gracious speech.

PROROGATION SPEECH

Hon. Mr. Howland: Mr. Speaker and members of the Legislative Assembly: I am pleased to address you on this occasion and to review some of the activities of the second session of the 32nd Parliament of Ontario.

The major issues for Ontario, as for all other Canadian jurisdictions over the past year, have been centred on the economy. The priorities of reducing inflation and expanding employment opportunities for our citizens have dominated our national and provincial public agenda.

Accordingly, the emphasis in the May budget of the Treasurer (Mr. F. S. Miller) was on creating jobs and restoring a climate of confidence in the Ontario economy. The \$171-million job creation program which the government announced at that time, which had been expected to create about 31,000 jobs in the 1982-83 fiscal year, has exceeded its target to help those hardest hit by unemployment. The program is now expected to cost \$176 million and to date has created about 40,290 jobs.

In November 1982, the government announced a new \$150-million job creation program which will create nearly 38,000 new jobs in Ontario and ease the burden of unemployment over the winter and spring of 1983.

To assist the recipients of general welfare assistance, family benefits and Gains who are among the most severely affected by the current economic downturn, a special recession package of \$52 million was introduced last fall. For example, benefits for single 60- to 64-year-old women were increased by 39.3 per cent over their November 1981 level.

The 1982 budget also contained measures that demonstrated the province's commitment to public sector restraint and fiscal responsibility. Salary increases for top civil servants and members of the Legislature were to be held to six per cent. With respect to direct provincial programs, the government announced a thorough-going analysis for trimming expenditures and enhancing efficiency. In these and similar ways, the budget prepared the ground for the more comprehensive public sector wage and price restraint program that has been embodied in Bill 179.

While economic matters dominated this session of our Legislature, progress was also achieved in a number of other important areas.

The Ontario Human Rights Code, which was proclaimed in June 1982, now protects the rights of disabled people in all areas of daily life, including employment, education and housing.

as well as underlines our continued commitment to protecting individuals against discrimination.

An assistive devices program, which began on July 1, 1982, was designed to financially assist young people 18 years of age and under and their families with the cost of medically necessary equipment and supplies. In the first six months alone just under 5,000 families have been assisted.

My government has taken a major step to protect our school children and their families from the spread of dangerous diseases by the introduction of the Immunization of School Pupils Act. With further emphasis on the protection and safety of our children, my government also introduced on November 1, 1982, the first phase of the two-phase child restraint legislation.

We are also pleased that during this session we completed our review of planning legislation in Ontario. The new Planning Act introduces a number of significant changes to the planning process. We are confident that with this new act

the province of Ontario will have legislation and a resulting planning system that is second to none.

Honourable members, it is evident from this brief review of your activities that your efforts in meeting the demands under such difficult economic pressures have been considerable, and I commend your sense of duty and perseverance.

Au nom de notre Souveraine, je vous remercie. In our Sovereign's name, I thank you.

Je declare cette session prorogée. I now declare this session prorogued.

Hon. Mr. Wells: Mr. Speaker and members of the Legislative Assembly, it is the will and pleasure of the Honourable the Administrator that this Legislative Assembly be prorogued and therefore accordingly this Legislative Assembly is prorogued.

The Honourable the Administrator was pleased to retire from the chamber.

The House prorogued at 5:56 p.m.

APPENDIX A

ANSWERS TO QUESTIONS ON NOTICE PAPER

COSTS OF CAUCUS MEETING

278. Mr. Bradley: Would the Premier provide the total costs incurred by the government for the northern Ontario provincial Progressive Conservative caucus meeting and luncheon held in North Bay on July 12, 1982? [Tabled September 29, 1982]

Hon. Mr. Davis: The office is not aware of and certainly was not involved in the planning of such an event.

COSTS OF RENOVATIONS

523. Ms. Copps: Would the Minister of Health provide any costs incurred in renovating or redecorating the office which he was to occupy following his appointment on February 13, 1982, as the new Minister of Health? [Tabled October 12, 1982]

Hon. Mr. Grossman: The cost incurred in renovating or decorating the minister's office was \$5,057.

524. Mr. Riddell: Would the Minister of Agriculture and Food provide any costs incurred in renovating or redecorating the office which he was to occupy following his appointment on February 13, 1982, as the new Minister of Agriculture and Food? [Tabled October 12, 1982]

Hon. Mr. Timbrell: Electrical service work: \$175.

526. Mr. Wrye: Would the Minister of Labour provide any costs incurred in renovating or redecorating the office which he was to occupy following his appointment on February 13, 1982, as the new Minister of Labour? [Tabled October 12, 1982]

Hon. Mr. Ramsay: Minister's office, 400 University, 14th floor: recarpet, \$2,000; vinyl wall covering, \$1,000.

527. Mr. McEwen: Would the Provincial Secretary for Resources Development provide any costs incurred in renovating or redecorating the office which he was to occupy following his appointment on February 13, 1982, as the new Provincial Secretary for Social Development? [Tabled October 12, 1982]

Hon. Mr. Henderson: Flag, \$77; new furniture, \$872; total, \$949.

528. Mr. Breithaupt: Would the Provincial

Secretary for Justice provide any costs incurred in renovating or redecorating the office which he was to occupy following his appointment on February 13, 1982, as the new Provincial Secretary for Justice? [Tabled October 12, 1982]

Hon. Mr. Sterling: \$3,634.90.

530. Mr. Sweeney: Would the Minister of Industry and Trade provide any costs incurred in renovating or redecorating the office which he was to occupy following his appointment on February 13, 1982, as the new Minister of Industry and Trade? [Tabled October 12, 1982]

Hon. Mr. Walker: There was no renovation or redecorating work done in the office occupied by the minister following his appointment on February 13, 1982, as the new Minister of Industry and Trade, and therefore no costs were incurred.

531. Mr. Eakins: Would the Minister of Tourism and Recreation provide any costs incurred in renovating or redecorating the office which he was to occupy following his appointment on February 13, 1982, as the new Minister of Tourism and Recreation? [Tabled October 12, 1982]

Hon. Mr. Baetz: The costs incurred in renovating and redecorating the office of the Minister of Tourism and Recreation are: recarpet, \$4,200; painting, \$400; relocate telephones and electrical outlets, \$300; reverse one door, \$100.

Note: Existing carpet from the minister's office is in storage by the Ministry of Government Services and may be reused.

The above figures concur with those which you provided in your memorandum of October 29, 1982.

533. Mr. Sweeney: Would the Minister of Industry and Trade provide any costs incurred in renovating or redecorating the office that he occupied following his previous cabinet appointment as Minister of Consumer and Commercial Relations on April 10, 1981? [Tabled October 12, 1982]

Hon. Mr. Walker: There was no renovation or redecorating work done in the office that the Minister of Industry and Trade occupied following his previous cabinet appointment as the Minister of Consumer and Commercial Relations, on April 10, 1981, and therefore no costs were incurred.

LICENSING OF PHARMACEUTICALS

684. Mr. Van Horne: What steps is the Minister of Industry and Trade taking to protect Ontario's direct and indirect interest in the pharmaceutical manufacturing industry which is being adversely affected by the federal government's Patent Act? What is Ontario's response to the federal government's request for advice on the negative and discriminatory aspects of section 41(4) of the Canada Patent Act? [Tabled December 14, 1982]

Hon. Mr. Walker: Compulsory licensing of pharmaceuticals was introduced by the federal government on the recommendation of the Harley commission, investigating drug pricing in Canada in 1969. This amendment of the Patent Act under section 41(4) allows for the importation of drugs or active ingredients into Canada and authorizes the commissioner of patents to issue a compulsory licence to any applicant and set a royalty fee.

Thus far, in all cases, the royalty fee has been set at four per cent of the manufacturer's net selling price. The administration of the Patent Act and compulsory licensing is clearly under the jurisdiction of the federal Minister of Consumer and Corporate Affairs.

I am aware that the pharmaceutical industry is faced with a problem as a result of the federal compulsory licensing, which impacts upon that industry. For this reason, we have undertaken the task of establishing in more detail the industry's point of view on the matter and determining the effect of compulsory licensing on the pharmaceutical industry.

We plan to consult further with the individual pharmaceutical companies and other affected groups to obtain a comprehensive appreciation of these complicated issues and carefully examine all social and economic implications. My staff also maintains frequent contact with PMAC head office in Ottawa to be apprised of the problems and issues affecting the pharmaceutical industry.

We have responded to the federal government on these issues and will continue our contacts and discussions with them.

DAY CARE

687. Mr. R. F. Johnston: Would the Minister of Community and Social Services provide the child/teacher ratios and trained/untrained teacher ratios for all day care facilities registered on the DINAS computer system? [Tabled December 17, 1982]

Hon. Mr. Drea: A paper entitled A Policy Statement on Standards for Day Nurseries Services is due to be released on or before April 1, 1983, by the Ministry of Community and Social Services. As this paper will include standards related to the above question, a reply will be delayed until some time after its release.

INDIAN BAND AGREEMENT

690. Mr. T. P. Reid: Will the Minister of Natural Resources table all of the documents and background material relating to the recently signed Indian fishing agreement? Will the minister table the results of court cases in regard to Indian fishing rights? Could the minister explain how this draft agreement affects the strategic land use plans in the province of Ontario? Why was this agreement signed prior to the federal-provincial conference on aboriginal rights this spring of 1983? Will the minister table Ontario's position of aboriginal rights, including a definition of same? [Tabled January 18, 1983]

See sessional paper 373.

MUNICIPAL TRANSFER PAYMENTS

691. Mr. Boudria: Would the Minister of Municipal Affairs and Housing state what amount was supplied under the program to each municipality in the years 1976-77, 1977-78, 1978-79, 1979-80 and 1980-81: township of Cumberland, town of Rockland, town of Hawkesbury, town of Vankleek Hill, village of Alfred, village of Casselman, village of L'Orignal, village of Plantagenet, village of St. Isidore de Prescott, township of Alfred, township of Caledonia, township of Cambridge, township of Clarence, township of East Hawkesbury, township of Longueuil, township of North Plantagenet, township of Russell, township of South Plantagenet, township of West Hawkesbury? [Tabled January 18, 1983]

See sessional paper 370.

CABLE TV AGREEMENTS

692. Mr. Philip: Would the ministry inform the House why Metropolitan Toronto Housing Authority has refused to renew bulk agreements with various cable companies across Metro Toronto and indicate if other housing authorities have taken similar actions against their tenants? Does the minister not understand that in these hard economic times this action increases costs to people who can least afford to pay? Would the minister also inform the House why tenants were not consulted before this arbitrary action was taken? Would he also indicate to the

House how much money the Metropolitan Toronto Housing Authority will save as a result of this action? [Tabled January 24, 1983]

Hon. Mr. Bennett: On September 21, 1977, the board of directors of the Ontario Housing Corp. approved a resolution which allowed for conversion of existing bulk cable agreements to rights agreements. Such agreements allow for the marketing of cable services directly to Ontario Housing Corp.'s tenants by the respective cable company.

The bulk rate cable television service was originally introduced in 1971 in order that preferred rates could be obtained for tenants. However, in recent years, prior to 1977, the companies have been pressing for higher rates as they achieved deeper penetration of the market. The differential between bulk rates and the market rates became smaller and did not warrant the administrative costs which are borne by the housing authorities. While administration time will be saved, a direct dollar saving will not result.

In Metro Toronto, several tenants went into arrears on their cable payments resulting in a loss of revenue to the government. This will not recur in future.

Tenants are advised of conversion 60 days prior to effective date. During that time frame, no installation charge is levied for implementation of the direct pay method. Subsequently, the bulk rate method remains in effect for an additional 12 months after conversion. Furthermore, all tenants are offered a 30-day moneyback guarantee by the company after the 12 months with an option to discontinue cable services at the end of the 30 days. The tenant then pays the CRTC-approved monthly rate for cable television. Tenants not wishing to receive cable services are not required to pay anything, whereas, under the bulk method, all tenants were required to pay.

The corporation believes that providing cable television service is not part of a landlord's responsibility and is somewhat analogous to the provision of a telephone.

Conversion to a rights agreement ensures that tenants in Ontario Housing Corp.'s buildings are treated in the same way as those in rent supplement units, as well as tenants in Ontario Housing Corp.'s buildings where a bulk agreement does not exist. Most buildings across the province are now on rights agreements.

Consequently, the Metropolitan Toronto Housing Authority is carrying out an Ontario Hous-

ing Corp. policy which was initiated and approved in 1977.

WORKERS' COMPENSATION BOARD

693. Mr. Di Santo: Will the Minister of Labour table the names of medical doctors (a) employed by the Workers' Compensation Board, and (b) used by the Workers' Compensation Board as consultants on a temporary or permanent basis? [Tabled January 25, 1983]

Hon. Mr. Ramsay: (a) List follows. (b) No permanent consultants. List of temporary consultants follows.

Permanent medical staff:

R. Allman, H. Boyes, D. Bodasing, T. Brandl, D. Burton, L. Bleviss, M. Chambers, G. Chambers, M. Chisholm, H. Cameron, P. Carr, D. Daly, I. D'Sousa, B. Doyle, E. Dowd, D. Dyer, E. Ehlers, T. Fried, H. Grossman, A. Garland, S. Goldenberg, H. Hall, J. Horne, M. Hunter, M. Hayley, R. Hollows, N. Hilliard, H. Jackson, A. Janjua, R. Johnstone, H. Ko, R. Khanna, G. Kassay, A. Kennard, E. Kummel;

W. Little, D. Logan, P. Mead, A. Millar, J. MacKenzie, A. Malayil, W. McCracken, M. Mitchell, E. Macfarlane, R. Melvin, R. Mitchell, F. Markus, K. Paisley, W. Parliament, C. Stewart, D. Sutherland, L. Sherwin, D. Stesco, L. Teskey, R. Thakur, V. Van Nguyen, N. Vanek, M. Van Lierop, B. Wilson, R. Werner, M. Wallis, R. Whitty, D. Young, W. Young.

Total 64.

Part-time medical consultants:

R. Arbitman, J. Budlovsky, I. Blackstone, T. Barrington, M. Chapman, M. Charendoff, G. Darby, D. Evans, H. Galway, J. Graham, A. Gross, C. Gray, M. Hill, H. Hall, I. Harrington, G. Hunter, W. Harris, G. Jones, G. Kay, F. Kallam, M. Kugler, M. Lester, G. Lloyd, F. Langer;

D. Muir, M. Maehle, C. Murray, B. Malcolm, D. McGonigal, J. Murray, P. McDougall, T. Morley, J. Ord, E. Peyrolon, W. Roy, C. Rorabeck, J. Roos, J. Richardson, K. Ratnanather, W. Richardson, H. Shutz, R. Tasker, M. Tyndel, E. Urovitz, G. Vingilis, O. Veidlinger, J. Waddell, A. Wiley, M. Wood, T. Wright, J. Zeldin.

Total 51.

USE OF DOWNSVIEW LAND

694. Mr. Di Santo: Will the Ministry of Municipal Affairs and Housing advise the House what action the government has taken in regard to the land used by the Ministry of Transportation and Communications in the area of High-

way 401 and Keele Street? Will the ministry specifically advise whether any formal meeting has been held with the city of North York and, furthermore, if any decision has been made for the use of the land? Finally, will the ministry advise if the residents and their representatives will be consulted before making any final decision? [Tabled January 25, 1983]

Hon. Mr. Bennett: I met with the mayor of North York on November 22, 1982, to discuss, among other things, the property owned by the Ministry of Government Services and used by the Ministry of Transportation and Communications in the Keele Street and Highway 401 area.

We did not, and do not now, have any specific proposals for the vacant lands at this location. Our interests were due to our desire to see a better use of our existing infrastructure. With this in mind, we were interested in seeing how the municipality would react to a suggestion of having housing on these sites. I also wanted to gauge how active the municipality would wish to become if any specific proposals were put forward for the site which would involve rezonings.

One of the very strong feelings I have developed is that the two senior levels of government should not, on their own, be required to bear the load necessary to see needed rental accommodation produced. Municipalities, through their zoning and planning process, can, and I believe must, provide the climate to encourage rental construction.

Unfortunately, the mayor of North York was not prepared to discuss, in any meaningful way, the lands in question. I asked him to get back to me when he had formed an opinion as to how active he would like to see his municipality become in this site. I have not yet heard from him.

I would imagine the mayor would be the person who would primarily gauge what consultation with the residents would take place, should any plans for this site develop which involve housing.

HOMES FOR SPECIAL CARE

695. Mr. R. F. Johnston: Would the minister please provide, by age, sex and institution, the number of patients in schedule 1 and 2 facilities in Ontario who have been moved to homes for special care? [Tabled January 25, 1983]

Hon. Mr. Drea: Since April 1981, there have been three such discharges from schedule 1 facilities: 69-year-old woman from Oxford

Regional Centre; 56-year-old woman from D'Arcy Place; 59-year-old woman from D'Arcy Place.

In all three cases, placements were appropriate and accordant to the expressed wishes of the resident. Placements were discussed with tri-ministry project staff prior to discharge.

There have been no discharges to homes for special care from accordant to the expressed wishes of the resident. Placements were discussed with tri-ministry project staff prior to discharge.

There have been no discharges to homes for special care from schedule 2 facilities.

D. GIBEAU SUPPORT

696. Mr. Di Santo: Would the Minister of Labour inform the House of the reasons for the policy change at the Workers' Compensation Board that has resulted in the discontinuance of the previously allowed reimbursement of expenses incurred by injured workers who require D. Gibeau corsets? Will the minister also table the old and present policies and guidelines? [Tabled January 28, 1983]

Hon. Mr. Ramsay: Mr. Di Santo's statement that the board has discontinued the allowance of payment for the D. Gibeau type of brace is correct.

Approximately two years ago, the matter of the use of this type of brace was reviewed by the board's surgical consultant group. On the basis of this review, it was determined that this particular support is neither a brace nor a formal back support nor a corset. Its design is such that it does not immobilize the spine, nor does it give direct support to the spine; rather, it is a wraparound appliance which may or may not allow additional body heat to be retained under the appliance. For these reasons, it could no longer be identified as a proven orthotic device.

Currently, any requests which are received for this particular appliance are referred to the surgical consultant group for review in accordance with the circumstances in each case. A determination is then made as to what alternative type of support would be of value in the treatment of the condition involved.

While the board does not have guidelines relative to this particular type of device, the administrative directive used in the processing of claims for orthopaedic appliances stipulates that any of the recognized and approved braces and supports will be paid for, if such braces and supports are prescribed by the treating physician. The D. Gibeau type of appliance is not

considered to be a "recognized and approved brace (or) support."

AGREEMENTS WITH INDIAN PEOPLE

697. Mr. T. P. Reid: Is the Minister of Natural Resources negotiating with any Indian bands or Indian organizations any further agreements relating to headland-to-headland issues, hunting or wild rice? If so, what are the details? Will the public be informed of any agreements before they are signed? [Tabled January 31, 1983]

Hon. Mr. Pope: The Minister of Natural Resources is not negotiating any agreements with the Indian people relating to headland-to-headland issues, hunting or wild rice.

INFLATION RESTRAINT BOARD

698. Mr. T. P. Reid: Would the Treasurer indicate how many times the anti-inflation board has met since the passage of Bill 179? How many price increases has the board inquired into? Has the government referred any price increases such as (Ontario Hydro) rates to the anti-inflation board? Would the Treasurer table the list of prices that his ministry intends to place before the anti-inflation board? [Tabled January 31, 1983]

Hon. F. S. Miller: The Inflation Restraint Board has met four times since the Inflation Restraint Act was passed.

To date there have not been any price changes referred to the board. The cabinet committee meets regularly to review proposed price increases.

INDIAN BAND AGREEMENT

699. Mr. T. P. Reid: Would the Minister of Natural Resources table the agreement between the Whitedog Indian reserve and the Ontario government in regard to their claims concerning the mercury situation on the Wabigoon River? What is the status of the negotiation or agreement? [Tabled January 31, 1983]

Hon. Mr. Henderson: The Provincial Secretary for Resources Development has been negotiating with the Islington Indian band with respect to possible provincial assistance to aid the band in its efforts to improve social and economic conditions on the reserve.

Although an agreement in principle has been reached by the province and the band, a formal agreement has yet to be signed by the parties. Negotiations are continuing and it is expected that a formal agreement will be reached and signed with the band in the near future, follow-

ing further consultation with other Kenora-area residents.

As the wording for the formal agreement has yet to be finalized, I am attaching a copy of a January 21, 1983, statement made in Kenora regarding the major initiatives outlined in the proposed agreement between the province and the band, which reads:

Statement by Honourable Lorne C. Henderson regarding agreement in principle between Ontario and Islington band:

I am pleased to announce that Ontario and the Islington Indian band have reached an agreement in principle which outlines a wide range of economic development initiatives and other employment and social programs to be provided by the province to assist the Whitedog community in its efforts to improve the social and economic conditions on the reserve.

In 1978, the government's attention was focused on the special needs of two northwestern Ontario Indian communities, the Whitedog reserve and the Grassy Narrows reserve, by a recommendation contained in the interim report of the Royal Commission on the Northern Environment, then chaired by Mr. Justice Patrick Hartt. The commission urged the federal and provincial governments, in consultation with the bands, to consider methods to ensure their access to resources and viable community economies, along with related supportive programs.

In response to the commission's recommendation, and at the request of the Indian bands, the government of Ontario and the government of Canada entered into a mediation process with the Whitedog and Grassy Narrows bands to identify specific steps to be taken by the governments which would improve the general conditions of these communities.

At the bands' request the governments invited Ontario Hydro and Reed Ltd., and subsequently Great Lakes Forest Products, Ltd., to participate in this process and to respond to specific concerns identified by the bands.

Ontario Hydro and the Islington band have also reached a settlement in recent months. The terms of the Hydro agreement include \$1.5 million and the purchase of 4,200 acres to be transferred to the federal government for addition to the Whitedog reserve in compensation for reserve lands flooded by the Caribou Falls hydro dam some years ago.

Earlier discussions between the two bands and Great Lakes failed to result in a settlement. However, I am hopeful the parties will resume

negotiations in the near future and will agree on mutually satisfactory terms of a settlement.

Both governments have outlined initiatives and approaches to address the concerns and problems identified by the Grassy Narrows band. At the band's request, negotiations with Ontario have been on hold for the past year. However, on the basis of correspondence received very recently from the present chief of the Grassy Narrows band, I expect our negotiations will resume in the near future.

Now I would like to highlight the major initiatives outlined in the proposed agreement with the Islington band.

First, the province will provide up to \$1 million to be used for the construction of a greenhouse, equipment and related facilities for the production of seedlings for reforestation. The greenhouse will be built near the Whitedog reserve; training will be provided for band members to operate the greenhouse. The Ministry of Natural Resources will enter into a long-term contract with the band for the purchase of seedlings.

An additional \$500,000 will be held in a fund by the government for the band's use in equipping band commercial fishermen and trappers or for the future expansion of the greenhouse operation.

Ontario will also purchase two skidders for the band's use in their logging operation near the reserve.

Access to natural resources:

In order to assure that the band has access to uncontaminated fish for their personal use, specific lakes near the reserve have been identified for band members to fish for food and to stock the band's community freezer. In this area sports fishing will be allowed to continue.

For commercial fishing, the band will retain its current licences with quotas to be negotiated with the Minister of Natural Resources (Mr. Pope). Ontario will purchase the assets of an additional commercial fishing licence for a reasonable price from a willing seller and transfer the licence and assets to the Islington band.

Should the quotas in the band's commercial licences be reduced for biological reasons, Ontario has designated other lakes on which the band could obtain a replacement licence with satisfactory quotas.

Wild rice:

In the event that Ministry of Natural Resources policy with respect to block licences for harvesting wild rice in the Kenora district is changed to

site-specific licences, as at present is in effect in other provincial districts, the block at present licensed annually to the Islington band will be divided into two subsections by a line running east and west through the north end of Umfreville Lake. Ontario agrees to license the southern subsection of the band's present registered area, plus Rice, Malachi and Pelican townships, to the Islington band for the exclusive use of the band members for a 21-year period, which would be renewable for further 21-year periods.

Wild rice harvesting licences will be issued by the Ministry of Natural Resources in the northern subsection to any resident of the province with a condition that Islington band members have the first right of refusal for harvesting jobs. Specific lakes have been designated in the northern subsection which would be licensed to the band in the event that the wild rice in the southern subsection is destroyed beyond the control of the band.

The band will also be issued a long-term licence to harvest wild rice in Swan Lake Bay, adjacent to the new reserve land obtained through a settlement negotiated with Ontario Hydro.

Trapping:

Ontario will assist the band to obtain the assets and licences for specific traplines in the area near the band's reserve lands, on a willing seller/willing buyer basis.

Logging:

With respect to the band's interest in increasing its logging activities in the area near their reserve land, Ontario has agreed to increase the band's present cord allotment in the future, depending on the availability of supply and appropriate harvesting. Present nonband timber licences near the reserve will be relocated when the timber of commercial value is all cut, or in any event not later than five years. The new timber harvesting areas are to be accessed by a road at present under construction, north Umfreville Lake.

Future development:

The band requested a freeze on all development, including new tourist camps in the area north Umfreville Lake and a compromise agreement was reached with the band. Over the next several years, Ontario may license up to 10 new tourist camps and existing tourist camps will be allowed to expand. Mineral prospecting, exploration and development will also continue in that area.

In order to provide the band an opportunity

to have a voice in future developments in the area surrounding their reserve lands, Ontario has agreed to notify the band within 60 days of all new applications for use or access to resources in the area surrounding the reserve. The Minister of Natural Resources will meet with the band prior to his decision on new developments in this area. The band will be entitled to nonfinancial compensation for adverse effects or loss resulting from band-opposed development.

A resource advisory committee, consisting of two representatives of the band, one each from the Ontario and federal governments and an independent chairperson from the region, will be established. The committee will act in an advisory capacity to the Minister of Natural Resources in relation to all band resource-related decisions.

Employment opportunities:

The band will have first right of refusal on all new resource-related jobs—except family operations—in the area surrounding the reserve.

Other resources, employment and training programs to be implemented by the province for Islington band members include: (1) tree planting program; (2) purchase of jackpine cones; (3) seasonal contracts for band members as firefighting crew; (4) jobs as extra firefighters as needed; (5) road maintenance training program; (6) road maintenance contracts; (7) annual subsidy to band to maintain their community fish freezer program; (8) social service training; (9) short-term training of off-reserve employment in resource development; (10) increased employment in provincial government resource-related programs.

And finally, initiatives to be undertaken, in co-operation with band members, to address social needs of the Whitedog community include: (1) a commitment to study the needs of the Islington band children mutually identified and assessed by the ministry and the band; (2) a commitment to study the needs of the elderly band members; (3) a commitment to study the band's need for infant care; (4) a commitment to establish services and facilities or to expand existing facilities and services which are identified through the studies just mentioned; (5) funding—50 per cent—for a covered ice surface and community hall if the band can provide matching funds and operational funds; (6) matching funds for two years for a recreation director on the reserve; (7) \$15,000 for one year towards the cost of employing an education consultant to develop an education program, including a high school, on the reserve.

This concludes the summary of the proposed agreement. Because of the complexity and wide-ranging nature of the agreement and so that there may be a clear understanding of it within the Kenora area, I am visiting Kenora today with my colleague and your member of the Legislature, Leo Bernier, to explain the agreement and answer questions from those of you who may wish additional information. This meeting also represents the fulfilment of the government's undertaking to consult with the residents of the area before executing the final agreement with the Islington band.

I want you all to know that the views you express today will be carefully considered by the government before any final agreement is signed.

SALE OF RENTAL UNITS

700. Mr. T. P. Reid: Will the Minister of Consumer and Commercial Relations table the government's valuation of the Cadillac Fairview apartment block sales? Will the minister table all estimates and background material, and names and credentials of those who valued the property? [Tabled January 31, 1983]

Hon. Mr. Elgie: Since this matter is currently before the courts, it would be inappropriate to table material related to the litigation at this time.

SALARY OF PATHOLOGIST

703. Mr. Di Santo: Will the Attorney General table the annual remuneration for Dr. Hillsdon Smith, chief forensic pathologist, from the time of his hiring up to and including his 1983 wages? [Tabled February 8, 1983]

Hon. G. W. Taylor: Information concerning the salary of Dr. Hillsdon Smith may be found in the public accounts.

RIGHT TO REFUSE WORK

704. Mr. Martel: Will the Minister of Labour indicate whether or not a woman bartender, who is left alone to work from 12:15 p.m. to 1 a.m. in a bar, with no back-up staff person in the case of customer violence, who must then count the day revenues, empty the bar of customers and lock up by herself, has the right to refuse this unsafe work under section 23 of the Occupational Health and Safety Act? Has the minister ever made an interpretation contrary to this right and, if so, will the minister table the interpretation of the case and say how a worker in a similar situation can protect her safety? [Tabled February 10, 1983]

Hon. Mr. Ramsay: Under subsection 23(3) of the Occupational Health and Safety Act, the right to refuse to work is exercisable in those circumstances where the worker has reason to believe that: (a) the equipment, machine, device or thing to be used or operated is a danger to the worker; (b) the physical condition of the work place is a danger to the worker; or (c) the equipment, machine, device or thing or the condition of the work place is in contravention of the act or the regulations.

The circumstances as related in the question do not involve any equipment, machine, device or thing, or a physical condition of the work place. Neither do the circumstances constitute a contravention of the act or the regulations. The answer is that section 23 does not apply.

DISTRIBUTION OF ACT

705. Mr. Martel: Will the Minister of Labour indicate to the House: 1. How many copies of the Occupational Health and Safety Act have been distributed in languages other than English and French? 2. Will he also indicate the breakdown of the number of copies of the act distributed in other languages, particularly Spanish, Greek, Italian and Portuguese? 3. Will the minister advise the House how the provision of section 14(2)(h) of the act has been carried out to provide workers with explanatory materials in the majority language of the work place where the majority language is not English or French? [Tabled February 11, 1983]

Hon. Mr. Ramsay: 1. None. However, a Guide to the Act, prepared by the ministry, is available in English, French, Italian and Portuguese.

2. See above.

3. The ministry has prepared explanatory material, suitable for posting in the work place. This material is available in English, French, Italian, Portuguese, Spanish, Chinese and Greek, and meets the requirements of section 14(2)(h) of the act.

FOODLAND ONTARIO

706. Mr. Riddell: Will the Minister of Agriculture and Food provide the total cost for the Foodland Ontario brochure that appeared as an insert in Toronto newspapers on February 8, 1983? Please indicate the number of brochures

distributed, the cost per brochure and the areas where it was distributed. [Tabled February 11, 1983]

Hon. Mr. Timbrell: Ontario's imports of fresh produce total \$420 million. The majority of these arrive in winter. This promotion was designed to increase the consumption of the wide range of frozen foods produced in Ontario, which were valued at \$64 million 1981.

Our objective is to increase frozen vegetable consumption to help replace fresh imports at this time of year. February is frozen food month and the industry—both food processors and retailers—are putting emphasis on frozen food promotion and sales.

Given the importance of the food processing industry in Ontario, the consumer advertising was geared to increase consumer awareness of the high quality and wide variety of frozen options.

This promotion appeared in the 42 daily newspapers across Ontario, with a gross circulation of 2,345,000. The cost of the brochure was \$128,101, or approximately five cents per copy. The cost of the insertion is extra and would bring the total cost per brochure to 10 cents.

INTERIM ANSWERS

685. Ms. Copps: Hon. Mr. McCague—It will not be possible to provide a response prior to the end of the current legislative session.

702. Mr. Charlton: Hon. Mr. Norton—It will not be possible to provide a response prior to the end of the current legislative session.

707. Mr. McClellan: Hon. Mr. Grossman—It will not be possible to provide a response prior to the end of the current legislative session.

708. Mr. Laughren: Hon. Mr. Norton—It will not be possible to provide a response prior to the end of the current legislative session.

709. Mr. T. P. Reid: Hon. Mr. Baetz—It will not be possible to provide a response prior to the end of the current legislative session.

710. Mr. Di Santo: Hon. Mr. Elgie—It will not be possible to provide a response prior to the end of the current legislative session.

711. Mr. Lupusella: Hon. Mr. Ramsay—It will not be possible to provide a response prior to the end of the current legislative session.

APPENDIX B

ALPHABETICAL LIST OF MEMBERS*

(125 members)

Second Session of the 32nd Parliament

Lieutenant Governor: Hon. J. B. Aird, OC, QC

Speaker: Hon. John M. Turner

Clerk of the House: Roderick Lewis, QC

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- Allen, R. (Hamilton West NDP)
 Andrewes, P. W. (Lincoln PC)
Ashe, Hon. G. L., Minister of Revenue (Durham West PC)
Baetz, Hon. R. C., Minister of Tourism and Recreation (Ottawa West PC)
 Barlow, W. W. (Cambridge PC)
Bennett, Hon. C. F., Minister of Municipal Affairs and Housing (Ottawa South PC)
Bernier, Hon. L., Minister of Northern Affairs (Kenora PC)
Birch, Hon. M., Provincial Secretary for Social Development (Scarborough East PC)
 Boudria, D. (Prescott-Russell L)
 Bradley, J. J. (St. Catharines L)
 Brandt, A. S. (Sarnia PC)
 Breauth, M. J. (Oshawa NDP)
 Breithaupt, J. R. (Kitchener L)
 Bryden, M. H. (Beaches-Woodbine NDP)
 Cassidy, M. (Ottawa Centre NDP)
 Charlton, B. A. (Hamilton Mountain NDP)
 Conway, S. G. (Renfrew North L)
 Cooke, D. S. (Windsor-Riverside NDP)
 Copps, S. M. (Hamilton Centre L)
 Cousens, D., Deputy Chairman of Committees of the Whole House (York Centre PC)
 Cunningham, E. G. (Wentworth North L)
 Cureatz, S. L., Deputy Speaker and Chairman of Committees of the Whole House (Durham East PC)
Davis, Hon. W. G., Premier (Brampton PC)
 Dean, G. H. (Wentworth PC)
 Di Santo, O. (Downsview NDP)
Drea, Hon. F., Minister of Community and Social Services (Scarborough Centre PC)
 Eakins, J. F. (Victoria-Haliburton L)
Eaton, Hon. R. G., Minister without Portfolio (Middlesex PC)
 Edighoffer, H. A. (Perth L)
Elgie, Hon. R. G., Minister of Consumer and Commercial Relations (York East PC)
 Elston, M. J. (Huron-Bruce L)
 Epp, H. A. (Waterloo North L)
 Eves, E. L. (Parry Sound PC)
 Fish, S. A. (St. George PC)
 Foulds, J. F. (Port Arthur NDP)
 Gillies, P. A. (Brantford PC)
 Gordon, J. K. (Sudbury PC)
 Grande, T. (Oakwood NDP)
Gregory, Hon. M. E. C., Minister without Portfolio (Mississauga East PC)
Grossman, Hon. L. S., Minister of Health (St. Andrew-St. Patrick PC)
 Haggerty, R. (Erie L)
 Harris, M. D. (Nipissing PC)
 Havrot, E. M. (Timiskaming PC)
Henderson, Hon. L. C., Provincial Secretary for Resources Development (Lambton PC)
 Hennessy, M. (Fort William PC)
 Hodgson, W. (York North PC)
 Johnson, J. M. (Wellington-Dufferin-Peel PC)
 Johnston, R. F. (Scarborough West NDP)
 Jones, T. (Mississauga North PC)
 Kells, M. C. (Humber PC)
 Kennedy, R. D. (Mississauga South PC)
 Kerr, G. A. (Burlington South PC)
 Kerrio, V. G. (Niagara Falls L)
 Kolyn, A. (Lakeshore PC)
 Lane, J. G. (Algoma-Manitoulin PC)
 Laughren, F. (Nickel Belt NDP)
Leluk, Hon. N. G., Minister of Correctional Services (York West PC)
 Lupusella, A. (Dovercourt NDP)
 Mackenzie, R. W. (Hamilton East NDP)
 MacQuarrie, R. W. (Carleton East PC)
 Mancini, R. (Essex South L)
 Martel, E. W. (Sudbury East NDP)
McCaffrey, Hon. R. B., Minister of Citizenship and Culture (Armourdale PC)
McCague, Hon. G. R., Chairman, Management Board of Cabinet (Dufferin-Simcoe PC)
 McClellan, R. A. (Bellwoods NDP)
 McEwen, J. E. (Frontenac-Addington L)
 McGuigan, J. F. (Kent-Elgin L)
 McKessock, R. (Grey L)
 McLean, A. K. (Simcoe East PC)
McMurtry, Hon. R. R., Attorney General (Eglinton PC)
 McNeil, R. K. (Elgin PC)

Miller, Hon. F. S., Treasurer of Ontario and Minister of Economics (Muskoka PC)

Miller, G. I. (Haldimand-Norfolk L)

Mitchell, R. C. (Carleton PC)

Newman, B. (Windsor-Walkerville L)

Nixon, R. F. (Brant-Oxford-Norfolk L)

Norton, Hon. K. C., Minister of the Environment (Kingston and the Islands PC)

O'Neil, H. P. (Quinte L)

Peterson, D. R. (London Centre L)

Philip, E. T. (Etobicoke NDP)

Piché, R. L. (Cochrane North PC)

Pollock, J. (Hastings-Peterborough PC)

Pope, Hon. A. W., Minister of Natural Resources (Cochrane South PC)

Rae, R. K. (York South NDP)

Ramsay, Hon. R. H., Minister of Labour (Sault Ste. Marie PC)

Reed, J. A. (Halton-Burlington L)

Reid, T. P. (Rainy River L-Lab.)

Renwick, J. A. (Riverdale NDP)

Riddell, J. K. (Huron-Middlesex L)

Robinson, A. M. (Scarborough-Ellesmere PC)

Rotenberg, D. (Wilson Heights PC)

Roy, A. J. (Ottawa East L)

Runciman, R. W. (Leeds PC)

Ruprecht, T. (Parkdale L)

Ruston, R. F. (Essex North L)

Samis, G. R. (Cornwall NDP)

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Sheppard, H. N. (Northumberland PC)

Shymko, Y. R. (High Park-Swansea PC)

Snow, Hon. J. W., Minister of Transportation and Communications (Oakville PC)

Spensieri, M. A. (Yorkview L)

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Sterling, Hon. N. W., Provincial Secretary for Justice (Carleton-Grenville PC)

Stevenson, K. R. (Durham-York PC)

Stokes, J. E. (Lake Nipigon NDP)

Swart, M. L. (Welland-Thorold NDP)

Sweeney, J. (Kitchener-Wilmot L)

Taylor, Hon. G. W., Solicitor General (Simcoe Centre PC)

Taylor, J. A. (Prince Edward-Lennox PC)

Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)

Treleaven, R. L. (Oxford PC)

Turner, Hon. J. M., Speaker (Peterborough PC)

Van Horne, R. G. (London North L)

Villeneuve, O. F. (Stormont, Dundas and Glengarry PC)

Walker, Hon. G. W., Minister of Industry and Trade (London South PC)

Watson, A. N. (Chatham-Kent PC)

Welch, Hon. R. S., Minister of Energy and Deputy Premier (Brock PC)

Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)

Wildman, B. (Algoma NDP)

Williams, J. R. (Oriole PC)

Wiseman, Hon. D. J., Minister of Government Services (Lanark PC)

Worton, H. (Wellington South L)

Wrye, W. M. (Windsor-Sandwich L)

Yakabuski, P. J. (Renfrew South PC)

MEMBERS OF THE EXECUTIVE COUNCIL

Davis, Hon. W. G., Premier and President of the Council

Welch, Hon. R. S., Minister of Energy and Deputy Premier

Wells, Hon. T. L., Minister of Intergovernmental Affairs

Bernier, Hon. L., Minister of Northern Affairs

Snow, Hon. J. W., Minister of Transportation and Communications

Birch, Hon. M., Provincial Secretary for Social Development

Bennett, Hon. C. F., Minister of Municipal Affairs and Housing

Miller, Hon. F. S., Treasurer of Ontario and Minister of Economics

Timbrell, Hon. D. R., Minister of Agriculture and Food

Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities

McMurtry, Hon. R. R., Attorney General

Henderson, Hon. L. C., Provincial Secretary for Resources Development

Norton, Hon. K. C., Minister of the Environment

Drea, Hon. F., Minister of Community and Social Services

Grossman, Hon. L., Minister of Health

McCague, Hon. G., Chairman of Management Board of Cabinet and Chairman of Cabinet

Baetz, Hon. R. C., Minister of Tourism and Recreation

Wiseman, Hon. D. J., Minister of Government Services

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations

Walker, Hon. G. W., Minister of Industry and Trade

Gregory, Hon. M. E. C., Minister without Portfolio

Pope, Hon. A. W., Minister of Natural Resources
Leluk, Hon. N. G., Minister of Correctional Services

Ashe, Hon. G. L., Minister of Revenue

Ramsay, Hon. R. H., Minister of Labour

McCaffrey, Hon. R. B., Minister of Citizenship and Culture

Sterling, Hon. N. W., Provincial Secretary for Justice

Taylor, Hon. G. W., Solicitor General

Eaton, Hon. R. G., Minister without Portfolio

PARLIAMENTARY ASSISTANTS

Andrewes, P. W. (Lincoln), assistant to the Minister of Energy

Brandt, A. S. (Sarnia), assistant to the Minister of Labour

Dean, G. H. (Wentworth), assistant to the Minister of Education and the Minister of Colleges and Universities

Fish, S. A. (St. George), assistant to the Minister of Citizenship and Culture

Gillies, P. A. (Brantford), assistant to the Provincial Secretary for Social Development

Gordon, J. K. (Sudbury), assistant to the Minister of Health

Hennessy, M. (Fort William), assistant to the Minister of Northern Affairs

Hodgson, W. (York North), assistant to the Minister of Government Services

Jones, T. (Mississauga North), assistant to the Treasurer of Ontario and Minister of Economics

Kennedy, R. D. (Mississauga South), assistant to the Minister of Intergovernmental Affairs

Lane, J. G. (Algoma-Manitoulin), assistant to the Minister of Industry and Trade

MacQuarrie, R. W. (Carleton East), assistant to the Solicitor General

McNeil, R. K. (Elgin), assistant to the Minister of Agriculture and Food

Mitchell, R. C. (Carleton), assistant to the Minister of Consumer and Commercial Relations

Rotenberg, D. (Wilson Heights), assistant to the Minister of Municipal Affairs and Housing

Stevenson, K. R. (Durham-York), assistant to the Minister of the Environment

Watson, A. N. (Chatham-Kent), assistant to the Minister of Community and Social Services

Williams, J. R. (Oriole), assistant to the Minister of Revenue

Yakabuski, P. J. (Renfrew South), assistant to the Minister of Natural Resources

STANDING COMMITTEES

Administration of justice: chairman, Mr. Treleaven; members, Messrs. Brandt, Breithaupt, Elston, Eves, Mitchell, Piché, Renwick, Spensieri, Stevenson, Swart and Watson; clerk, D. Arnott.

General government: chairman, Mr. Barlow; vice-chairman, Mr. J. A. Taylor; members, Messrs. Charlton, Dean, Eakins, Gordon, Haggerty, Hennessy, J. M. Johnson, Lane, McKessock and Samis; clerk, F. Carrozza.

Resources development: chairman, Mr. Harris; vice-chairman, Mr. Andrewes; members, Ms. Fish, Messrs. Kolyn, Laughren, McNeil, J. A. Reed, Riddell, Stokes, Sweeney, Villeneuve and Williams; clerk, A. Richardson.

Social development: chairman, Mr. Shymko; vice-chairman, Mr. Gillies; members, Messrs. Allen, Boudria, Ms. Copps, Messrs. R. F. Johnston, Kells, McGuigan, Pollock, Robinson, Runciman and Sheppard; clerk, G. White.

Members' services: chairman, Mr. Robinson; vice-chairman, Mr. Hodgson; members, Messrs. Grande, Havrot, Jones, Mackenzie, MacQuarrie, McLean, G. I. Miller, Rotenberg, Ruprecht and Wrye; clerk, L. Mellor.

Procedural affairs: chairman, Mr. Kerr; vice-chairman, Mr. Rotenberg; members, Messrs. Breaugh, Charlton, Edighoffer, Epp, J. M. Johnson, Lane, MacQuarrie, Mancini, Treleaven and Watson; clerk, S. Forsyth.

Public accounts: chairman, Mr. T. P. Reid; vice-chairman, Mr. Kolyn; members, Messrs. Bradley, Cunningham, Havrot, Kennedy, Philip, Sargent, Mrs. Scrivener, Messrs. J. A. Taylor, Wildman and Yakabuski; clerk, G. White.

Regulations and other statutory instruments: chairman, Mr. Eves; vice-chairman, Mr. Barlow; members, Ms. Bryden, Messrs. Di Santo, Gordon, Hennessy, Hodgson, Jones, Kerrio, McEwen, McLean and Van Horne; clerk, D. Arnott.

SELECT COMMITTEE

Ombudsman: chairman, Mr. Runciman; members, Messrs. Boudria, Cooke, Eakins, Gordon, Hodgson, MacQuarrie, Mitchell, Philip, Piché, Shymko and Van Horne; clerk, G. White.

*The lists in this appendix, brought up to date as necessary, are published in Hansard on the first Friday of each month and in the first and last issues of each session.

CONTENTS

Wednesday, February 23, 1983

Statements by the ministry

Pope, Hon. A. W., Minister of Natural Resources:

Aggregate policy..... 7933

Timbrell, Hon. D. R., Minister of Agriculture and Food:

Food land guidelines..... 7933

Oral questions

Davis, Hon. W. G., Premier:

Deaths at Hospital for Sick Children, Mr. Conway, Mr. Rae..... 7937

Norton, Hon. K. C., Minister of the Environment:

Niagara River pollution, Mr. Conway, Mr. Charlton, Mr. Kerrio..... 7934

Niagara River pollution, Mr. Rae, Mr. Kerrio..... 7940

Timbrell, Hon. D. R., Minister of Agriculture and Food:

Farm bankruptcies, Mr. Swart, Mr. Riddell..... 7943

Petition

Mississauga land development, Mr. Riddell, tabled..... 7945

Motions

Status of bills, Mr. Wells, agreed to..... 7946

Status of reports, Mr. Wells, agreed to..... 7946

Private members' public business, Mr. Wells, agreed to..... 7946

Committee schedule, Mr. Wells, agreed to..... 7946

Committee substitutions, Mr. Wells, agreed to..... 7947

Committee substitution, Mr. Wells, agreed to..... 7968

Third reading

Municipality of Metropolitan Toronto Amendment Act, Bill 127, Miss Stephenson, Mr.

Bradley, Mr. Rae, Mr. Wells, agreed to..... 7948

Other business

Correction of record, Miss Stephenson..... 7946

Response to written questions, Mr. Conway, Mr. Wells, Mr. Foulds..... 7947

Answers to questions on Notice Paper, Mr. Wells, tabled..... 7947

Response to written questions, Mr. Conway, Mr. Foulds, Mr. Laughren, Mr. Wells..... 7947

Royal assent, the Honourable the Administrator..... 7968

Prorogation speech, the Honourable the Administrator..... 7969

Appendix A

Answers to questions on Notice Paper

Baetz, Hon. R. C., Minister of Tourism and Recreation:

Costs of renovations, question 531, Mr. Eakins. 7971

Bennett, Hon. C. F., Minister of Municipal Affairs and Housing:

Municipal transfer payments, question 691, Mr. Boudria. 7972

Cable TV agreements, question 692, Mr. Philip. 7972

Use of Downsview land, question 694, Mr. Di Santo. 7973

Davis, Hon. W. G., Premier:

Costs of caucus meeting, question 278, Mr. Bradley. 7971

Drea, Hon. F., Minister of Community and Social Services:

Day care, question 687, Mr. R. F. Johnston. 7972

Homes for special care, question 695, Mr. R. F. Johnston. 7974

Elgie, Hon. R. G., Minister of Consumer and Commercial Relations:

Sale of rental units, question 700, Mr. T. P. Reid. 7977

Grossman, Hon. L. S., Minister of Health:

Costs of renovations, question 523, Ms. Copps. 7971

Henderson, Hon. L. C., Provincial Secretary for Resources Development:

Indian band agreement, question 699, Mr. T. P. Reid. 7975

Costs of renovations, question 527, Mr. McEwen. 7971

McMurtry, Hon. R. R., Attorney General:

Salary of pathologist, question 703, Mr. Di Santo. 7977

Miller, Hon. F. S., Treasurer of Ontario and Minister of Economics:

Inflation Restraint Board, question 698, Mr. T. P. Reid. 7975

Pope, Hon. A. W., Minister of Natural Resources:

Indian band agreement, question 690, Mr. T. P. Reid. 7972

Agreements with Indian people, question 697, Mr. T. P. Reid. 7975

Ramsay, Hon. R. H., Minister of Labour:

Costs of renovations, question 526, Mr. Wrye. 7971

Workers' Compensation Board, question 693, Mr. Di Santo. 7973

Right to refuse work, question 704, Mr. Martel. 7977

Distribution of act, question 705, Mr. Martel. 7978

D. Gibeau support, question 696, Mr. Di Santo. 7974

Sterling, Hon. N. W., Provincial Secretary for Justice:

Costs of renovations, question 528, Mr. Breithaupt. 7971

Timbrell, Hon. D. R., Minister of Agriculture and Food:

Foodland Ontario, question 706, Mr. Riddell. 7978

Costs of renovations, question 524, Mr. Riddell. 7971

Walker, Hon. G. W., Minister of Industry and Trade:

Costs of renovations, question 530 and 533, Mr. Sweeney. 7971

Licensing of pharmaceuticals, question 684, Mr. Van Horne. 7972

Interim answers, questions 685, 702, 707, 708, 709, 710 and 711. 7978

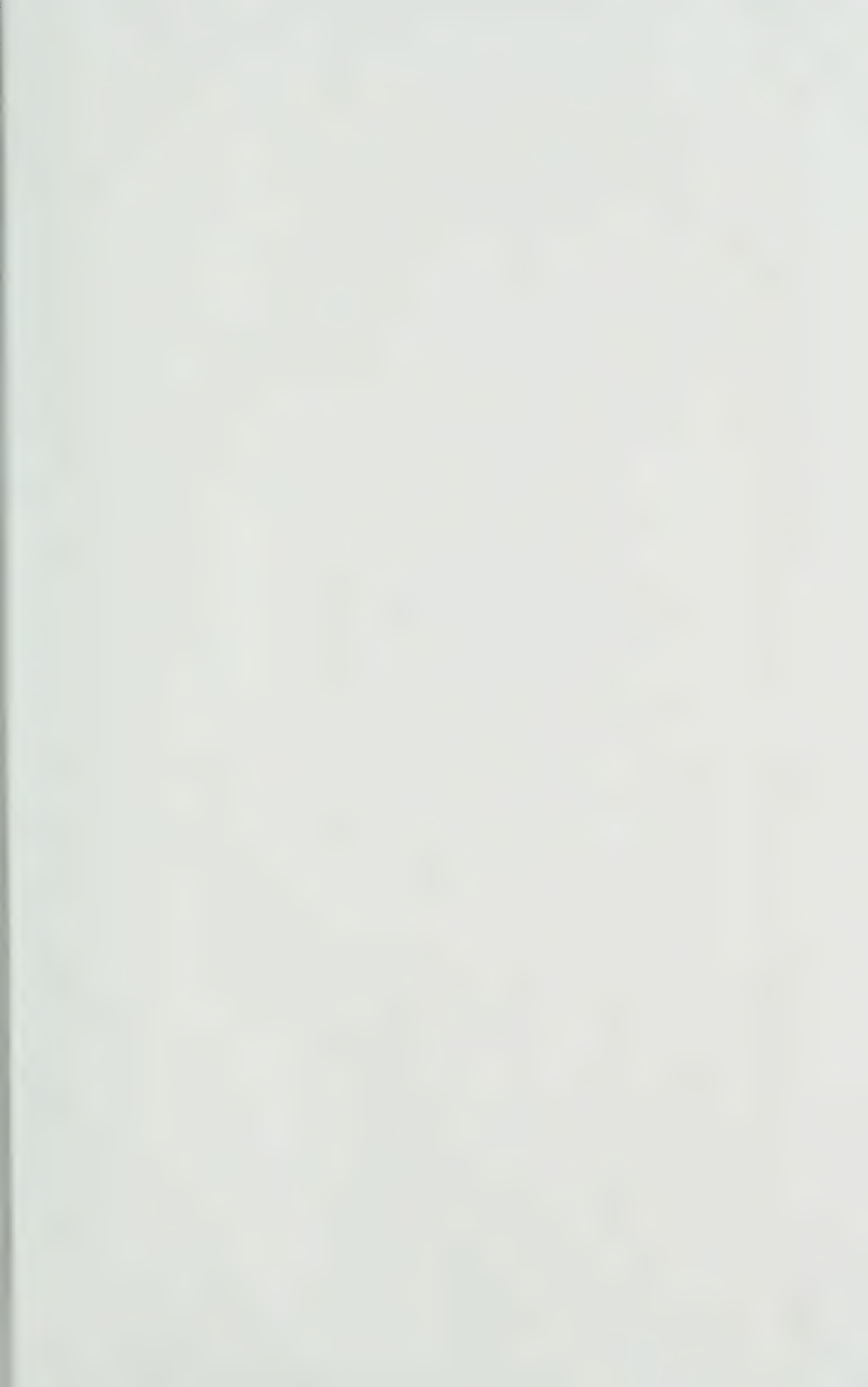
Appendix B

Alphabetical list of members of the Legislature of Ontario, members of the executive council, parliamentary assistants and members of committees. 7979

SPEAKERS IN THIS ISSUE

Howland, Hon. W. G. C., Administrator of Ontario
 Ashe, Hon. G. L., Minister of Revenue (Durham West PC)
 Bradley, J. J. (St. Catharines L)
 Cassidy, M. (Ottawa Centre NDP)
 Charlton, B. A. (Hamilton Mountain NDP)
 Conway, S. G. (Renfrew North L)
 Cureatz, S. L., Deputy Speaker and Chairman (Durham East PC)
 Davis, Hon. W. G., Premier (Brampton PC)
 Di Santo, O. (Downsview NDP)
 Foulds, J. F. (Port Arthur NDP)
 Grande, T. (Oakwood NDP)
 Gregory, Hon. M. E. C., Minister without Portfolio (Mississauga East PC)
 Havrot, E. M. (Timiskaming PC)
 Kerrio, V. G. (Niagara Falls L)
 Kolyn, A. (Lakeshore PC)
 Lane, J. G. (Algoma-Manitoulin PC)
 Laughren, F. (Nickel Belt NDP)
 Leluk, Hon. N. G., Minister of Correctional Services (York West PC)
 Martel, E. W. (Sudbury East NDP)
 Lane, J. G. (Algoma-Manitoulin PC)
 Laughren, F. (Nickel Belt NDP)
 Leluk, Hon. N. G., Minister of Correctional Services (York West PC)
 Martel, E. W. (Sudbury East NDP)
 McClellan, R. A. (Bellwoods NDP)
 Nixon, R. F. (Brant-Oxford-Norfolk L)
 Norton, Hon. K. C., Minister of the Environment (Kingston and the Islands PC)
 Pope, Hon. A. W., Minister of Natural Resources (Cochrane South PC)
 Rae, R. K. (York South NDP)
 Reed, J. A. (Halton-Burlington L)
 Reid, T. P. (Rainy River L-Lab.)
 Renwick, J. A. (Riverdale NDP)
 Riddell, J. K. (Huron-Middlesex L)
 Rotenberg, D. (Wilson Heights PC)
 Ruprecht, T. (Parkdale L)
 Ruston, R. F. (Essex North L)
 Shymko, Y. R. (High Park-Swansea PC)
 Stephenson, Hon. B. M., Minister of Education and Minister of Colleges and Universities (York Mills PC)
 Stokes, J. E. (Lake Nipigon NDP)
 Swart, M. L. (Welland-Thorold NDP)
 Sweeney, J. (Kitchener-Wilmot L)
 Timbrell, Hon. D. R., Minister of Agriculture and Food (Don Mills PC)
 Turner, Hon. J. M., Speaker (Peterborough PC)
 Wells, Hon. T. L., Minister of Intergovernmental Affairs (Scarborough North PC)
 Wrye, W. M. (Windsor-Sandwich L)





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